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**TOWN OF TIBURON
GENERAL PLAN
HOUSING ELEMENT**

**ADOPTED
APRIL 17, 1991**

AMENDED SEPTEMBER 7, 1994

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I. INTRODUCTION AND INTENT

The Town of Tiburon General Plan Housing Element is mandated by California Government Code Section 65580 et seq. This Housing Element supersedes the Housing Element adopted on an interim basis by the Town of Tiburon in September of 1989.

The California Legislature stated in Section 65580 of the California Government Code that "the availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every California family is a priority of the highest order." Cities are required to prepare and implement housing elements as part of their general plans in order to attain these statewide goals.

A Housing Element must have an identification and analysis of existing and projected housing needs for all economic segments of the community, a statement of goals, policies, quantified objectives, and a schedule of programs for the preservation, improvement and development of housing.

The purpose of the Housing Element is to commit a jurisdiction to a housing production program. Housing Element goals, policies and programs have been designed to be consistent with goals, policies and programs in the other General Plan elements. Together, the elements provide internally consistent policies and programs for the future development of Tiburon.

The Housing and Community Development Department (HCD) of the State of California Comment letter of 11/89 was discussed and addressed to the satisfaction of the Tiburon Planning Commission during the 1990 Commission public hearings held for revision of the Housing Element. HCD requested that the Town Housing Element separate the housing needs assessment for the Town corporate limits from that of the Town sphere of influence (i.e. Town Planning Area). The Town of Tiburon is unable to provide separate statistics for the Town corporate limits for the following reason. The Association of Bay Area Governments (ABAG), the only agency that develops the Housing Needs Assessment for Bay Area cities, provides information to the Town of Tiburon by total Planning Area. ABAG was contacted by Town staff to determine whether its housing data could be divided into the Town corporate limits and the Town Planning Area. The Town was informed by ABAG staff that the housing data could not be separated in this manner and would not be so separated in the foreseeable future. However, the Town has followed up with a letter to ABAG requesting that the information requested by the State of California be provided in the future.

A Glossary of Frequently Used Terms and their definitions is located before the Index.

II. TOWN OF TIBURON HOUSING GOALS

H-A: To provide a variety of housing types which will meet the needs of present and future residents of Tiburon.

H-B: To encourage the type and placement of housing development consistent with the protection of open space and environmental constraints of the land.

H-C: To ensure that housing development is adequately served by essential services and infrastructure.

H-D: To protect and conserve the existing housing stock.

H-E: To preserve the present predominance of low-density residential development within existing and future neighborhoods throughout the community.

III. HOUSING POLICIES AND IMPLEMENTING PROGRAMS

The following pages set forth the Town's housing policies and implementing programs and are intended to foster the preservation, improvement and development of housing in the Tiburon Planning Area. All of the housing policies and programs are intended to provide equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin or color.

Objectives for housing unit rehabilitation, production and conservation are described as "targets" in a five-year program. It is anticipated that the five-year program will result in the production of a sufficient number of units to meet total ABAG-specified housing needs for the Tiburon Planning Area, but not its distribution of very-low, low and moderate units.

HOUSING POLICIES

The Town's Role

H-1: To provide a leadership role in helping to attain the Town's housing objectives by periodically monitoring progress of housing programs.

H-2: To promote residential opportunities through the unique powers of the Redevelopment Agency.

H-3: To take necessary actions to prevent discrimination in the local housing market.

H-4: To work with private non-profit housing groups, such as the Tiburon Ecumenical Association or the Ecumenical Association for Housing, to identify opportunities for, and to provide and maintain affordable housing in the Tiburon Planning Area.

HOUSING POLICIES

H-5: To make available sufficient funds for providing needed services and facilities for housing.

H-6: To activate a Housing Committee appointed by the Town Council, as needed. The Committee shall have the responsibility of assisting in the implementation of the Housing Element as directed by the Planning Commission or by the Town Council through the Planning Commission.

H-7: While pursuing housing solutions within the Town, encourage the exploration of mechanisms for seeking regional housing solutions and opportunities, such as the creation of a regional housing committee comprised of representatives from Tiburon and other cities and unincorporated areas within Southern Marin County.

Protecting and Conserving Existing Housing

H-8: To pursue funding for conservation and rehabilitation of existing housing to preserve neighborhood character and to retain the supply of low and moderate income units.

H-9: To prohibit conversion of existing multiple family rental units to market rate condominium units unless the Town's rental vacancy rate is above 4-1/2 percent, except for limited equity cooperatives and other innovative housing proposals which are affordable to low and moderate income households.

H-10: To maintain the Town's existing stock of lower cost units. The 102 unit subsidized Hilarita apartment development should be preserved as lower cost housing. See Appendix E for a detailed description of the Hilarita Preservation Program.

H-11: To promote the retention of rental units and encourage rental subsidy programs which can be applied to existing housing.

H-12: To protect residents and maintain the housing stock by enforcing the housing code for all types of residential units.

H-13: To promote energy conservation programs which provide assistance for energy conservation improvements.

H-14: To encourage preservation of existing homes in "Old" Tiburon, and to approve new development in this area consistent with the historic quality of the area.

H-15: To protect and preserve housing units by granting density bonuses which allow the re-establishment of developments containing affordable housing units when such developments are damaged or destroyed by fire, earthquake, or similar disaster.

HOUSING POLICIES

New Housing

H-16: To ensure proper planning by requiring that sewer, water and other essential infrastructure is available to serve new housing by the time such housing is constructed. Developers shall participate in the funding of expanded infrastructure.

H-17: To permit development of residential uses within the land use designations of Village Commercial and Neighborhood Commercial where such uses will be compatible and will not adversely affect the area.

H-18: To allow affordable units within a market rate development to vary in design from market rate units so long as the project is architecturally harmonious. Attached units, smaller units and other design variations from market rate units may be permitted by the Town to reduce costs of providing affordable units and to act as an incentive for their construction.

H-19: To permit density bonuses consistent with state law for provision of affordable housing.

H-20: To require projects of 10 or more lots/units to provide at least 10 percent of their units affordable to low and/or moderate income households in perpetuity. This may be accomplished either by construction of the units, or by purchase of existing units for rental to low and/or moderate income households which would be controlled by a non-profit group or public housing authority. If, as a last resort, the project proponent demonstrates to the Town's satisfaction that provision of the units through construction and/or purchase is infeasible, the Town may allow payment of in-lieu fees of equal value to unit production/purchase (including land costs) requirements pursuant to the Town's ordinance. Projects of 2 to 9 single-family units shall be required to pay a pro-rata share of in-lieu fees pursuant to the Town's adopted inclusionary housing ordinance(s). The use of all housing in-lieu fees collected should be for actual construction or preservation of permanent affordable units or directly related expenses.

H-21: To require resale controls which ensure that affordable units are retained in perpetuity as affordable housing stock.

H-22: To encourage throughout the community the voluntary delivery of rental housing, especially for senior households, singles, single parents, and young households, by allowing secondary dwelling units in locations consistent with ordinance requirements and criteria.

H-23: To limit higher-density residential developments to those areas where adjacent land uses are architecturally compatible and where convenient commercial services and essential infrastructure are or will be adequate to serve such uses.

HOUSING POLICIES

H-24: To encourage architectural excellence and harmony with the physical environment.

Special Housing Needs

H-25: To encourage units accessible to the handicapped in all projects.

H-26: To encourage the construction of rental units and protection of existing rental housing stock.

H-27: To encourage provision of senior housing by considering density bonuses above general plan densities where senior projects are desirable and compatible with special senior needs (e.g. generally flat site, within walking distance to services and transit). Such projects shall only be allowed where the size of the structure and style of architecture are compatible with the surrounding neighborhood.

H-28: To encourage provision of low income housing units, especially for single persons, single parents, elderly and young families.

H-29: To allow mobile homes and manufactured housing when in compliance with applicable Town regulations as applied to single family dwellings.

H-30: To exempt affordable housing units from all Town Planning and Building Department fees.

H-31: To work with the County of Marin and Cities to seek a regional solution to the need for emergency shelters and transitional housing.

H-32: To recognize that the provision of affordable units is a high priority and shall not be relinquished as part of legal settlements.

Housing Opportunity Areas

H-33: To continue to search for housing opportunity areas where the potential to deliver affordable sales or rental units for people with special housing needs can be facilitated by the Town. Such sites or areas should meet the following criteria: **H-33(a) Adequate access** (transit, pedestrian, roadway), including transportation provided by the housing project, such as periodic shuttle buses; **H-33(b) Convenient to neighborhood services and facilities**, including services and facilities provided by the housing project and/or where transportation to such services and facilities is provided by the project; **H-33(c) Absent constraints which may be costly or impossible to mitigate** (geologic, flooding, soils, wetlands, etc.);

H-33(d) Adequate or cost-effective services available; **H-33(e) Adequate parking** or limited visitor parking where occupant transit is provided by the housing project; **H-33(f) Consistent with other elements of the General Plan.**

IMPLEMENTING PROGRAMS

Five-Year Housing Program 1991 Through 1995

Existing Housing

H-a: Development review and permit streamlining. The Town shall update selective sections of its ordinances to provide incentives for developing affordable housing and to reduce the processing time required for affordable housing applications. **Target:** Update ordinances in 1991/92; **Responsibility:** Planning Department.

H-b: Redevelopment Agency Powers. The Town may use its Redevelopment Agency powers to reduce the costs and expedite the construction of lower and moderate income housing by allocating tax increment funds to meritorious affordable housing projects, and facilitating the processing of affordable housing projects within redevelopment areas, among other actions. **Target:** Ongoing; **Responsibility:** Redevelopment Agency.

H-c: Rehabilitation Loan Programs. Continue to support rehabilitation loan subsidy programs. In cooperation with the Marin County Housing Authority (MCHA), the Town shall improve citizen awareness of rehabilitation loan subsidy programs. **Targets:**(1) Residential Rehabilitation Loan Program (MCHA) - 5 low-income units rehabilitated by 1995; (2) Rental Rehabilitation Program (MCHA) - 5 low-income rental units rehabilitated by 1995; **Responsibility:** Planning Commission, Town Council, Town Manager.

H-d: Condominium Conversions. Preserve rental housing by enforcement of Policy H-9 and the Town's condominium conversion ordinance. **Target:** Ongoing; **Responsibility:** Planning Department.

H-e: Rental Housing Assistance. Encourage federal, state and local rental housing programs. Work with the Marin County Housing Authority to implement the Section 8, Project Independence rental assistance programs, Marin Renters Rebate program, and any similar programs. **Target:** 1 to 2 low and moderate income units by 1995; **Responsibility:** Planning Department.

H-f: Acquisition of Housing. Strongly encourage the acquisition and rehabilitation of housing by non-profit sponsors seeking to acquire housing units in order to maintain ongoing affordability of the units as well as for rental as low and moderate income housing. This will include, but not be limited to:(1) support necessary to obtain funding commitments for governmental and non-governmental grants; (2) "fast-track" processing; (3) possible waiver of fees, as appropriate; (4) use of the Town's Housing Fund; (5) purchase by developers; and (6) in-lieu fees for developers of affordable units. **Target:** 6-8 low and moderate units by 1995; **Responsibility:** Non-profit sponsor in cooperation with Planning Department.

IMPLEMENTING PROGRAMS

H-g: Energy Conservation. Support energy conservation programs which provide assistance for energy conservation improvements. In cooperation with the Marin County Planning Department and Marin Citizens for Energy Planning (MCEP), the Town will improve citizen awareness of energy conservation programs. **Target:** 50 low-income units provided energy conservation improvement under MCEP's Home Weatherization Program by 1995; **Responsibility:** Planning Department.

H-h: Conservation of the Hilarita. The Town Council appointed Housing Committee shall study all reasonable options for preserving the Hilarita as affordable rental housing following the termination of the current subsidy program in 1994. The committee shall recommend specific funding mechanisms and actions for preservation of the Hilarita. **Target:** Study completed by June 1992; **Responsibility:** Appointed Housing Committee.

New Housing

H-i: New Housing Construction. Review new housing projects (private, non-profit and public agencies) and encourage those projects which meet the Town's housing needs. Continue to review and process development applications. **Target:** At least 400 new units by the end of 1995, assuming an average of 80 units built per year over the next five years (1991-1995) subject to essential infrastructure constraints. (Within Town: 150 units/30 units per year; within SOI: 250 units/50 units per year.); **Responsibility:** Private/public sponsors.

H-j: Affordable Unit Resale Regulations. Provide resale regulation of low- and moderate-income units and ensure that these units remain at an affordable price level. Implement resale controls and coordinate with the Marin County Authority to ensure that units remain affordable to low- and moderate-income households through appropriate provisions to control (1) appreciation of the units; (2) resale mechanisms; and (3) potential abuses. **Target:** Ongoing program; **Responsibility:** Planning Department with County Housing Authority.

H-k: Affordable Unit Eligibility Guidelines. Develop Eligibility Guidelines. **Target:** Adopted guidelines 1991; **Responsibility:** Planning Department.

H-l: Mixed Use. Allow mixed residential-commercial uses in areas consistent with the Land Use Element. Revise ordinances accordingly. **Program was completed in 1990.**

H-m: Accessible Units for the Physically Disabled. The Town will facilitate programs and projects which meet federal, state and local requirements to provide accessibility for the physically disabled in residential units and will promote affordable accessible housing for the physically disabled. The Town will encourage accessible units in all new projects; additionally, where outside funding is involved, the Town will ensure compliance with funding agency requirements for units accessible to the physically

IMPLEMENTING PROGRAMS

disabled. **Target:** 5% of the units built or approved should be adaptable for the physically disabled; **Responsibility:** Planning Department.

H-n: Subsidized Housing Programs. Encourage federal, state and locally subsidized new housing construction programs. Encourage project sponsors to apply for available federal, state or local subsidies for their projects. **Target:** 10 low and moderate income units by 1995; **Responsibility:** Planning Department.

H-o: Affordable Housing in New Developments. The Town will develop density bonus guidelines and incentives for renter and ownership projects which provide a minimum of 10% of total units affordable to low and moderate income households in perpetuity. Procedures for defining and monitoring "affordable" rental projects shall be included in this work effort. **Target:** Procedures to be proposed by 1991/92; **Responsibility:** Planning Department.

H-p: Emergency Housing. It has been determined that there are an insufficient number of homeless persons in the Town to warrant a Town-sponsored emergency housing program. Nonetheless, the Town is aware of the problem as it exists in the County. Therefore, the Town will participate in a county-wide action plan for providing emergency housing, halfway houses and homes with supervised care. The Town will work with the county, Marin cities and non-profit organizations involved in emergency or specialized housing, including housing for homeless, to create an inter-jurisdictional plan in which each community has an opportunity to address its special housing need and identify its local opportunity for meeting this need in order to meet each community's fair share. Funding for the plan preparation could be from Marin County Community Development Block Grant Funds. **Target:** Ongoing special project; **Responsibility:** Town Manager with Town Council and Planning Department.

H-q: Secondary Units. Regulate and allow secondary units. Continue to encourage secondary units in accordance with the Town's existing ordinance. Reevaluate the ordinance as needed. **Target:** Provide 20 new secondary units by 1995 (it is anticipated that most of these units will be at low market rates affordable to low and/or moderate income households in Tiburon); **Responsibility:** Planning Department.

H-r: Low and Moderate Income Housing Funds. Develop guidelines for use of available housing funds (in-lieu fees, redevelopment housing set-aside funds, and tax increment funds) in achieving the Town's affordable housing goals. **Target:** Develop guidelines by 1991/92; **Responsibility:** Planning Department and Town Council.

H-s: Cooperative Regional Effort. Actively promote the production of affordable units in Town while exploring the feasibility of joining forces with other cities and unincorporated areas in southern Marin County for the purpose of more effectively using available funds and limited housing opportunity sites to address regional housing needs.

IMPLEMENTING PROGRAMS

H-t: In-Lieu Fee Program. The Housing Committee shall review the Town's In-Lieu Fee Program and recommend appropriate fee increases such that the in-lieu fee is equivalent to the inclusionary unit requirement set forth in Policy H-20. **Target:** Revise in-lieu fee ordinance by end of 1991; **Responsibility:** Housing Committee and Planning Department to draft revision; Planning Commission to review and Town Council to adopt revised ordinance.

Housing Opportunity Areas

H-u: Housing Opportunity Areas.

H-u(a). Current Town Hall Site (3.8 acres) on Neds Way: May be considered for Town Hall and/or affordable housing. **Target Unit Production:** Unspecified; **Responsibility:** Non-profit sponsor with Town cooperation.

H-u(b). Bradley House on Esperanza Street: Construct additional very low and/or low income units. **Target Unit Production:** 3 very low income units by the end of 1991; **Responsibility:** Town.

H-u(c). Town Owned Highlands Site at the end of Cecilia Way: This three acre parcel shall be limited to four market rate or low/moderate income units; provided, however, that if the land is used exclusively for elderly housing, the above limitation on the number of units shall not apply, although the number of units in and size of the elderly housing project shall be compatible with the Bel Aire neighborhood and have no greater environmental impact than the foregoing options. **Target Unit Production:** At least 6 affordable senior housing units; **Responsibility:** Town joint venture with a Housing Group or developers.

H-u(d). Marin County Sites within Town Sphere. **Target:** 41 affordable units by 1995; **Responsibility:** Marin County.

H-v: Affordable Housing Sites Study. The Town Council appointed Housing Committee will study sites which may be appropriate for affordable housing. Sites for consideration may include the current Town Hall site, the Town-owned Highlands site, the ex-fire station site at Beach Road, as well as other sites identified by the Committee. The Committee shall report its findings and recommendations to the Planning Commission by August, 1992. Alternatively, the affordable housing sites study may be prepared by potential developers while in the process of meeting the requirements of Housing Element Policy H-20. **Target:** Study completed by August, 1992; **Responsibility:** Town Housing Committee and the potential Developer of vacant land suitable for large-scale residential use.

IMPLEMENTING PROGRAMS

H-w: Housing Sites Study in Commercial Areas. Evaluate the suitability of specific village and neighborhood commercial areas, including parking areas, for residential redevelopment (e.g. Cove Shopping Center area, Point Tiburon and the gas station at Beach and Tiburon Blvd.) Such a study would require detailed feasibility investigation of specific areas, contact with specific businesses, analysis of specific redevelopment site, etc. Alternatively, the housing sites study may be prepared by potential developers while in the process of meeting the requirements of Housing Element Policy H-20. **Target:** Study completed by 1992; **Responsibility:** Town Housing Committee and potential Developer of vacant land suitable for large-scale residential use.

H-x: ABAG Housing Need Numbers. Review and comment on any new housing need determinations made for the Town of Tiburon by the Association of Bay Area Governments (ABAG) to ensure that they consider the development constraints and projections in the Town of Tiburon General Plan. **Responsibility:** Town Planning Department.

IV. HOUSING NEEDS

Introduction. Under the state housing element requirement, housing needs are defined according to three categories: existing needs, projected needs, and special needs. Existing needs include those households overpaying for their housing, overcrowded conditions, and substandard units. Projected needs include the needs for all income categories including the locality's share of the regional housing need. Special housing needs include needs of the handicapped, elderly, large families, families with female heads of households, and families and persons in need of emergency housing.

Existing housing needs, identified in this element in Section VII Profile of the Tiburon Planning Area and Section VIII Housing Costs and Ability to Pay, include the following:

Substandard Units: 35 units needing rehabilitation

Overcrowded Units: 83 units

Overpayment: 1,062 households (renters and homeowners)

Special Housing Needs are identified in Housing Element Section IX Other Housing Needs, include the following: Affordable Rental Housing for Elderly Persons; Accessible Housing for Handicapped Persons; Housing for Persons Employed in Tiburon; and Housing for Persons Employed by the Town, particularly fire, police and other emergency personnel.

Projected Housing Needs are described in Section IV Housing Needs, Section V Vacant Land and Adequate Sites for Housing, and Section VI Constraints to the Development of Housing.

The information in this section represents the best data available at the time the Housing Element was prepared. While the United Way surveyed special needs in the County in 1990, that data was not yet available at the time the Housing Element was adopted.

ABAG Housing Needs Determination. Government Code section 65584 requires the Association of Bay Area Governments (ABAG) to determine existing and projected Bay Area housing needs and to determine each city's share of the Bay Area's need for housing. These local shares are to be considered in the development and updating of housing elements. The ABAG determinations take the following factors into consideration: market demand for housing, employment opportunities, availability of suitable sites and public facilities, commuting patterns, and type and tenure of housing. The most recent determinations were prepared and published by ABAG in the "Housing Needs Determinations, San Francisco Bay Region," dated September, 1988, hereinafter referred to as "the ABAG Report."

Government Code section 65584(c) gave the Town of Tiburon 90 days to review and revise the determinations contained in the ABAG Report. The determinations in the ABAG Report were not challenged by the Town of Tiburon.

Table 1 shows the ABAG housing needs determination for the Tiburon Planning Area. The ABAG categories are divided by income based on the Bay Area's median income.

Table 1: ABAG Housing Needs for the Tiburon Planning Area, 1989-1995.			
Income Level	Percent of Median Income	Number of Units	Percent of Total
Very Low	up to 50%	65	16.8
Low	51% to 80%	54	14.0
Moderate	81% to 120%	65	16.8
Above Moderate	121% & over	<u>210</u>	<u>52.2</u>
Total	--	385	100.0%

The Town of Tiburon projects that the Tiburon Planning Area will meet the ABAG housing needs determination for total number of units, but not for the distribution of very low, low, and moderate income units.

Table 2: Comparison of Housing Need with Estimated Future Construction, Rehabilitation, and Conservation, 1989-1995.			
<u>CONSTRUCTION:</u> <u>INCOME LEVEL</u>	<u>ABAG NEED</u>	<u>ESTIMATED NUMBER OF UNITS TO BE BUILT 1989-1995</u>	<u>PERCENT OF NEED</u>
Very Low Income	65.0	9.0	13.8
Low Income	54.0	17.0	31.5
Moderate Income	65.0	53.0	81.5
Above Moderate Income	<u>201.0</u>	<u>461.0</u>	<u>229.0</u>
Total 1989-1995	385.0	540.0	140.0%
CONSERVATION:	Hilarita - 102 units	--	--
REHABILITATION:	Residential Areas - 20 units	--	--

V. VACANT LAND AND ADEQUATE SITES FOR HOUSING

Vacant Land Inventory

The Tiburon Planning Area has 24 parcels of vacant land suitable for large-scale residential development within the 15-year planning period for this Element. In the Tiburon Planning Area, a "large-scale residential development" requires a site of four acres or more, since smaller sites usually yield fewer dwelling units. These sites are described on Table 3 by a code number, common name of the property, acreage of the property, and Land Use Designation and density range from the Land Use Element. Land Use Element Diagram LU-4, Vacant Land Inventory, shows the location of these sites by code number.

Both incorporated and unincorporated properties are included in Table 3. This is because Tiburon General Plan Land Use Element Policies LU-5 through LU-8 call for the annexation of all unincorporated lands in the Tiburon Planning Area within the planning period of the General Plan. Furthermore, the Marin County Local Agency Formation Commission (LAFCO) also has written policies that require annexation to the Town of the major unincorporated properties within the Town's Planning Area prior to development.

The majority of vacant land in the Tiburon Planning Area has infrastructure extended to at least one parcel boundary, except for several properties in the Paradise Drive Unincorporated Area, which do not have sanitary sewer service. Before projected buildout can occur, some off-site improvements will be necessary, such as water supply, and improved sanitary sewer service in 3 of the 4 Sanitary Districts serving the Tiburon Planning Area (Richardson Bay, Sanitary District No. 5, and Alto Sanitary District). Also, certain circulation improvements as specified in the Circulation Element may be necessary.

The Town of Tiburon permits mobile homes and manufactured housing on all residential parcels within the Town. The Tiburon Planning Area has one non-residential site with residential redevelopment potential: the existing Town Hall site of approximately 3.8 acres. This site is discussed in the following "Adequate Sites for Housing" section.

Table 3: Vacant Land Inventory and Zoning Density, April 1991 - Parcels Suitable for Large-Scale Residential Use

Code	Owner Name	Acres	Units*	Zoning & Dwelling Units/Acre	Location**
E-1 E-2 S-1	Chinai Jampolsky Strawberry Hill	17.4 7.0 48.0	4 4 74	0.2 0.6 120,000 s.f. office, 52 single family residences & 22 duplexes approved.	Strawberry Unincorporated Area
G-1	Neill Smith	34.0	14	0.4	Tiburon
G-2	Vincent Tai	5.6	6	1.0	Tiburon
K-1	Cherry	27.6	8	0.3	Tiburon
L-1	Harroman	101.0	30	0.3	Tiburon
L-2	Otani	8.7	2	0.2	Tiburon
L-3	Pinensky	4.6	3	0.6	Tiburon
L-4	Jay	15.7	10	0.6	Tiburon
N-1	Whole Systems	27.1	8	0.3	Tiburon
U-1	Ring Mtn Pcl H	5.3	4	0.8	Tiburon
U-2	Parente	10.0	5	0.5	Tiburon
U-3	Luce	5.6	3	0.5	Tiburon
U-4	Ring Mtn Pcl G	4.8	2	0.4	Tiburon
W-1	Taldan	15.6	22	1.41	Tiburon
C-1 C-2 C-3 C-4	Kilgore shore Kilgore Slater Neill Smith	16.4 23.0 26.1 22.0	8 9 10 11	0.5 0.4 0.4 0.5	Paradise Drive Unincorporated Area
I-1 Z-1 Z-2 Z-3	Bank of CA Keil Martha Co. Martha Co. shore	50.2 14.2 110.0 15.0	5 3 44 5	0.1 0.2 0.4 0.3	Paradise Drive Unincorporated Area

* Unit totals are approximate depending on precise acreage determinations.

**Tiburon General Plan Land Use Element Policies LU-5 through LU-8 demonstrate the Town's intent to annex all areas within the Town's sphere of influence as soon as feasible.

Adequate Sites for Housing

The suitability of the vacant land for affordable housing has been evaluated based on the following factors: 1) **Distance to public transit stops**, assuming that prospective tenants or buyers would require daily transit support; 2) **Distance to Strawberry Employment (Shopping) Center**, assuming that this area will offer the greatest number and variety of concentrated job opportunities; 3) **Distance to Downtown Tiburon** employment opportunities; and 4) **Predominant range of slope** given in percent of vertical drop over horizontal distance (i.e. a 10 foot drop over 50 feet horizontal distance is a 20% slope; Steep slopes are harder and more expensive to develop and are more difficult to traverse for the elderly and the handicapped). **Table 4 shows these criteria applied to the vacant sites that are four acres or larger.** The Town considers all of these sites suitable for housing.

Table 4 does not show either the current Town Hall site or the Town-owned Highlands site. Both of these sites, though under 4 acres each, are suitable for affordable housing. The current Town Hall site, a 3.8 acre parcel, currently contains the Town offices and police station. In April 1990, the Town narrowly voted down "Measure B", a proposal which would have permitted the Town to sell all or a portion of the current Town Hall site and the adjacent 2 acre parcel of land purchased with open space bond funds for the purpose of applying the proceeds of the sale to build and equip a new Town Hall at another site on the condition that the sold property be used primarily to construct senior citizen housing. Under the proposal, any excess of funds would have been placed in the Town's Open Space Fund. It was anticipated that the senior housing project would have had some percentage of affordable housing units. Notwithstanding the defeat of Measure B, the Town Hall site continues to be a suitable site for affordable housing should other arrangements be made for a new Town Hall at another location.

The Highlands Site is a 3 acre parcel of land owned by the Town with the potential for four low and moderate income units, or a senior housing project.

Rental housing is permitted on all residential sites in the Tiburon Planning Area. For affordable housing, rental units are preferred, since rental housing requires little capital to access. However, as the "Housing Costs and Ability to Pay" section points out, for-sale housing is a greater need in terms of the gap between cost and ability to pay.

Table 4: Eligibility of Adequate Sites for Affordable Housing.

Code	Owner	Distance to Transit Stop	Distance to Strawberry Employment Center	Distance to Downtown Tiburon	Percent of Predominant Slope
C-1	Kilgore shore	1.3	3.3	3.3	over 30%
C-2	Kilgore	1.3	3.3	3.3	over 30%
C-3	Slater	1.4	3.2	3.2	over 30%
E-1	Chinai	0.4	0.3	3.3	over 30%
G-1	Neill Smith	0.8	2.4	2.1	21-30%
C-4	Neill Smith	0.8	2.4	2.1	21-30%
G-2	Vincent Tai	0.5	3.0	1.3	over 30%
I-1	Bank of CA	2.2	4.3	2.2	over 30%
K-1	Cherry	0.3	1.7	2.1	over 30%
L-1	Harroman	0.6	3.7	0.8	under 20%
L-3	Pinensky	1.1	3.2	1.0	21-30%
L-4	Jay	0.6	3.3	0.2	21-30%
N-1	Whole Systems	0.9	3.3	7.3	over 30%
S-1	Strawberry Hill	0.5	0.3	0.4	over 30%
U-1	RingMtn PclH	5.3	1.7	3.1	over 30%
U-2	Parente	1.7	2.7	3.1	over 30%
U-3	Luce	1.7	2.7	3.1	over 30%
U-4	RingMtn PclG	4.8	1.7	3.1	over 30%
W-1	Taldan	0.5	1.0	3.5	21-30%
Z-1	Keil	1.2	5.0	0.9	21-30%
Z-2	Martha Co.	1.4	4.9	1.2	under 20%
Z-3	Martha Co. shore	1.2	5.0	1.0	over 30%

Source: Tiburon Planning Department, 1990.

VI. CONSTRAINTS TO THE DEVELOPMENT OF HOUSING

Sections 65583(a)(4) and (5) of the Government Code require a discussion of the past and current constraints to the development of housing. Such constraints include both non-governmental and governmental constraints. Non-governmental constraints include potential and actual constraints upon the maintenance, improvement or development of housing for all incomes such as availability of financing, the price of land, and the cost of construction. Governmental constraints include potential and actual constraints upon the maintenance, improvement or development of housing for all income levels as a result of land use controls, codes and their enforcement, site improvements, fees and other exactions, and local processing and permit procedures. State housing law requires the identification of these constraints so that where possible, such constraints may be addressed and removed. The following sections describe non-governmental and governmental constraints to housing in the Town Planning Area.

Non-governmental Constraints

1. Land Costs. Land prices in the Tiburon Planning Area are extremely high. Since the demand for housing in the area is high (vacancy rate 4.3%), the value of residential land is increasing and this cost is a substantial factor in the cost of providing housing. Land costs can entail over 50% of the costs of a home in Marin County, compared with 22% nationally. Contributors to the cost of land are the amount of land available, the density of residential use allowed, views, location, buildability, availability of community services, attractiveness of neighborhood and restrictions to development.

The cost of remaining vacant land in the Tiburon Planning Area varies. In 1989, single family lots sold for amounts ranging from \$320,000 to \$1,950,000. The median price was about \$460,000. The price of large parcels is difficult to determine because few of them are on the market. (Marin Association of Realtors, 1990)

2. Construction Costs. The costs of constructing housing have risen dramatically in recent years in the Bay Area. It has typically outpaced the general rate of inflation. Construction costs can vary greatly by design, materials, site considerations, as well as other variables. It can typically cost from \$85-\$100 per square foot, or more, to build a wood frame single-family detached home in the Bay Area. These costs do not include the cost of land, site preparation, and soft costs such as financing and fees. In Tiburon, typical costs to build a home per square foot range from \$125-150 or more. Most lots are sold and developed individually because of the demand for large size custom-built homes and amenities desired by purchasers. In addition, much of the land is on steep slopes and/or unstable geologic conditions exist requiring high site and structural preparation costs.

3. Financing Costs and Availability of Financing. Interest rates today are much lower than the highs of the early 1980's. In early 1990, interest rates were approximately 11% for a 30-year fixed rate mortgage. Lower interest rates can mean that housing is more affordable and that more households can qualify for loans. The following chart compares the income needed to purchase a house selling for \$610,000* at different interest rates with a 20% down payment of \$122,000 and 30-year fixed rate mortgage with 30% of income toward mortgage payment.

<u>Interest Rate</u>	<u>Mortgage Payment</u>	<u>Annual Income Necessary to Purchase</u>
9%	\$3,927	\$157,080
11%	4,647	185,895
13%	5,398	215,930

* Average value of 3 bedroom, 2.5 bath single family homes in Tiburon in March 1990 - Source: Coldwell Banker/SF Examiner

Financing is readily available for those households able to qualify for mortgages. The Town currently has \$650,000.00 of in-lieu housing fees and \$ 600,000.00 of redevelopment housing set aside monies. In addition, public and private financing for affordable housing is periodically available. Private, non-profit housing groups including Bridge Housing and the Ecumenical Association are potential "partners" with the Town for the development of affordable housing.

4. On-Site Improvements. Much of the land remaining for development has severe environmental limitations such as steep slopes, landslides and soil problems requiring expensive site work such as drilled pier foundations, retaining walls and earthwork.

Governmental Constraints

Governmental constraints to the maintenance, improvement or development of housing for all income levels include land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The following analysis examines potential governmental constraints to determine whether any of the potential constraints identified pose an actual constraint in Tiburon.

1. General Plan The Tiburon Town Council adopted an updated general plan in September of 1989. The general plan reflects the Town's choice to maintain a low-density residential character, maintain adequate traffic service levels, protect sensitive resource areas, restrict development on hazardous areas and provide substantial open space areas among other policy choices. Goals, policies and programs contained in the general plan attempt to strike a careful balance between resource protection, quality of life and the demand for additional housing.

The goals and policies of the general plan may place substantial constraints on the provision of some housing types, and specifically medium and high density housing. However, general plan goals and policies which may constrain the development of additional medium and high density housing are not arbitrary. To the contrary, these goals and policies acknowledge the underlying physical conditions which pose constraints to the development of all types of housing and in particular medium and high density housing. These physical conditions include the following:

- a. Approximately 90% of the remaining vacant land in the Tiburon Planning Area is over 30 percent slope which increases the chances for unstable conditions in addition to dramatically increasing the cost of development;
- b. Much of the remaining vacant land under 30 percent in slope lies at the top of the significant ridges, the protection of which is critical to preserving Tiburon's visual character;
- c. There is widespread presence of unstable or potentially unstable slopes throughout the Tiburon Planning Area. A mass grading approach to development of these areas is unacceptable to the Town due to the environmental and aesthetic ramifications associated with mass grading. However, without a mass grading approach, the construction of medium and high density attached product type is not practical;
- d. Remaining large vacant parcels (over 4 acres) are limited in number and comprise the majority of Tiburon's remaining open space and habitat areas;
- e. Tiburon Boulevard, the main access route into the Town, has limited capacity to accommodate additional development and still operate at an acceptable traffic service level; and
- f. Paradise Drive, the main access to the Paradise Drive Unincorporated area, is a winding, narrow, two-lane road with limited opportunities for improvement. This road is considered a major constraint to development of additional housing units in this area.

Specific provisions contained in the general plan which may constrain development of new housing are discussed below:

Permitted Residential Densities

The housing element includes density standards ranging from 0.1 dwelling unit per acre to 12.4 dwelling units per acre. Allowable densities and corresponding categories are as follows:

VL	(Very Low Density Residential)	Up to 0.1 du/acre
LL	(Low Low Density Residential)	Up to 0.2 du/acre
L	(Low Density Residential)	Up to 0.5 du/acre
ML	(Medium Low Density Residential)	Up to 1.1 du/acre
M	(Medium Density Residential)	Up to 3.0 du/acre
MH	(Medium High Density Residential)	Up to 4.4 du/acre
H	(High Density Residential)	Up to 11.6 du/acre
VH	(Very High Density Residential)	Up to 12.4 du/acre

In general, the permissible densities are considered to be low. In addition, all of the vacant parcels of 4 acres or more in size are designated in the general plan for low density development, between 0.2 and 1.0 dwelling units per acre maximum. It is these large vacant parcels that could provide the greatest opportunity for development of additional affordable housing. At the same time however, these large vacant lands are highly physically constrained as will be described in more detail below. Only one large vacant parcel, the Jay property, is designated for multi-family housing in the zoning ordinance.

The general plan permits approximately 285 units on approximately 614 acres of vacant land, excluding parcels less than 4 acres in size. New development on parcels of more than four acres would result in an average of approximately .5 dwelling units per gross acre. However, since approximately 50% of the remaining vacant lands are not suitable for development due to steep slopes, geologic hazards and other physical and aesthetic constraints, net dwelling units per acre are likely to be two or three times greater than the gross dwelling units per acre the average would suggest.

Approximately 30 affordable units could be achieved by implementing Housing Element Policy H-20, which emphasizes the production of affordable housing units.

The low density general plan designations on these vacant lands reflects the physical constraints to development in these areas. Such physical constraints include steep slopes, geologic hazards, and limited access via Tiburon Boulevard and Paradise Drive. Thus, the permitted densities are not considered to pose an actual constraint to the development of new housing.

General Plan Open Space and Safety Elements

A number of open space and safety policies may be considered to constrain the Town's ability to provide additional housing. These policies, like the permitted densities, reflect the highly constrained physical conditions of the Tiburon Planning Area. For example, policy OSC-7 and policy SE-6 discourage development on slopes exceeding 40%. While these policies may result in removing more than 25% of the existing vacant lands from future development, they are based on the fact that as slopes increase so does the likelihood of slope failure. According to the safety element, slope failure is likely on Tiburon's generally unstable soils.

Other open space policies call for protection of sensitive habitat and vegetated areas. Policy OSC-5 calls for development to be located well below ridgelines due to the overriding visual significance to the Town of such ridges.

Taken together, these open space and safety policies may well restrict development of 50% of existing vacant lands. However, with the exception of the ridgeline policy, the restrictions are based on the avoidance of hazard areas and the preservation of sensitive resource areas. The ridgeline policy reflects the importance of protecting the Town's aesthetic qualities and addresses the Town's desires for neighborhood separators and open space area connectors.

Policy OSC-15, which establishes the goal of protecting 50% of large vacant parcels in open space, reflects the fact that better than 50% of the existing vacant lands are likely to be undevelopable due to physical constraints. Because the policies are driven by physical and aesthetic conditions, the open space policies contained in the general plan themselves are not considered to pose a constraint to development of new housing.

General Plan Circulation Element

The circulation element contains policies which establish desired traffic service levels. Specifically, policies C-2 and C-3 call for the maintenance of level of service C or D at all signalized intersections within the Tiburon Planning Area. In addition, the circulation element provides that all new development shall be required to pay a pro rata share of needed traffic improvements.

These policies may constrain the development of additional housing. However, the policies are based on the need to maintain adequate traffic service levels to allow access by emergency vehicles and to maintain the quality of life in the Town. Further, it is not anticipated that traffic service levels will decline below the acceptable levels established in the general plan before 1995. At that time, the element calls for the service levels to be reevaluated.

2. Zoning Ordinance. Under the Zoning Ordinance, most vacant land is zoned Residential Planned Development (RPD). Since the Ordinance reflects the General Plan, no additional constraints, not already described above, will result from implementation of the Zoning Ordinance. The RPD designation provides wide latitude in building densities and locations resulting in yields, lot sizes and locations of development. Under the RPD approach, approval of the ultimate yield, lot sizes and building locations could take up to one year.

3. On-Site Streets. Almost all vacant parcels over four acres in the Tiburon Planning Area are without adequate streets to serve proposed development. Developers of these parcels will be required to build on-site streets to serve development of these parcels. The acreage utilized by the streets will not affect permitted densities.

4. Processing and Permit Approval Process. Currently within the Town, minor subdivisions of four or fewer lots are processed by the Planning Commission and larger subdivisions are processed both by the Planning Commission and Town Council.

5. Local Permit Fees. Costs associated with the permit process may often act as a constraint to the development of affordable housing. Costs are related to processing, inspection, installation and plan storage. These costs are limited by California law to the cost to the various agencies of performing these services. Fees charged by the Town vary based on site conditions, site location, type and design of development.

Table 5: Approximate Town Permit Costs Total \$6,294.53 - \$6,333.53 for a 3,000 square feet single family home that costs approximately \$375,000 (approximately \$125.00 per square foot) to construct.

Building Permit	\$1,602.00	Design Review	Grading Permit
Plan Check	1,041.30	\$1,500.00	\$15.00 - 54.00
State Seismic Fee	26.25	Contractors	
Electrical Fee	320.40	Business License	Encroachment Permit
Mechanical Fee	144.18	\$ 450.00	\$ 50.00
Plumbing Fee	320.40	Plan Storage Fee \$	
Occupancy Fee	750.00	75.00	

Source: Tiburon Building Department, 1990

Depending upon the location, type and size of the project, there may be additional Town fees for planning, subdivision, environmental review and other fees including, but not limited to, the following fees:

Undergrounding Utilities	Site Dependent
Tiburon Blvd. Improvement Fund	\$1,974.00
In Lieu Park & Recreation Fees	500.00
Water Hookup	2,300.00 - 7,600.00
Water Meter Installation	1,330.00
Sewer Hookup	770.00 - 1,500.00

Other specific agency fees are also levied on new development as follows. The Reed Union School District charges a school fee of \$1.50 per square foot per unit. Water hookup fees for the Marin Municipal Water District range from approximately \$2,300 to \$7,600, depending on the site location, with an additional charge of \$1,330 for installation of the meter. Sewer hookup fees vary depending on the district. Sanitary District Number 5 charges between \$2,000 and \$2,200 per unit. The Richardson Bay Sanitary District charges approximately \$1,200 to \$1,500 per unit. Sanitary District No. 2 charges approximately \$770 per unit and the Alto Sanitary District charges approximately \$1,200 per unit. In addition, the Alto Richardson Fire Protection District charges a fee of 8.7 cents per square foot per unit. The Town has historically waived Town levied fees for Town sponsored affordable projects such as the Bradley House. Similarly, some of the agencies, including the Water District, have lowered fees by variance for affordable projects.

6. Codes and Enforcement. The Building Department requires a Residential Building Report upon the sale of dwelling units. If illegal units or uses are discovered during the inspection associated with the report, the Building Department requires these units to be brought into compliance with the code or abated. The impact of this on the number of housing units has been negligible. The Town has not adopted amendments to the State Housing Law nor the model building codes.

7. On-/Off-Site Improvements. On-/Off-Site improvements include parking, drainage improvements, roads, parks and other utilities. These improvements are summarized below. Parking requirements must be met on-site. Street widths are required to be sufficiently wide for two travel lanes. However, the street area does not affect the density or yield on a given site. Roads and utilities for subdivisions are constructed by the developer. Open space, drainage, streets, undergrounded utilities and parkland dedication or in-lieu fees are required. Clearly, all of these expenses can affect the price of a home. The greatest off-site costs typically are the drainage fees, which vary, and the Tiburon Boulevard Improvement Fund. Some developers are required to pay for additional off-site expenses such as traffic signals and storm drainage improvements.

8. Other Agencies. State agencies such as the Bay Conservation and Development Commission (BCDC) and federal agencies such as the U.S. Army Corps of Engineers are often a factor in the delay of development. Both agencies have jurisdiction over areas along the shoreline. The U.S. Army Corps and the State Department of Fish and Game have jurisdiction over wetlands and riparian corridors, among other sensitive resources. Processing of permits can take a minimum of 60 to 90 days and typically cannot be initiated until local approvals are final.

9. Article 34 Referenda. California law (Article 34) requires jurisdictions to place public housing projects on the ballot for local approval prior to construction. The Town of Tiburon held an Article 34 referendum in 1978 for the conversion of the Old Tiburon School to 12 units of housing for the elderly (Bradley House). The referendum passed by a 70% to 30% vote. A second Article 34 referendum was approved by the voters in 1989 to allow the construction of an additional three units to the Bradley House. These units were approved for construction in 1990 at a cost of approximately \$110,000 per unit. Pursuant to a recent State Supreme Court case, future Article 34 ballot measures need not be site specific or project specific. Thus, housing sponsors may proceed with projects which rely on pre-existing or future Article 34 authority.

Infrastructure Constraints

1. Highway. Congestion of U.S. Highway 101 is a regional problem. Expansion of the highway's capacity is the responsibility of Caltrans, while interchange improvements are now largely the responsibility of local governments and developers. The State of California is responsible for maintenance of the route. Marin County is preparing the U.S. Highway Corridor Plan Phase II Report to study ways to relieve congestion. Most alternatives for improvement to be studied are located in the middle and north sections of Marin County and will have little impact on the physical section of U.S. Highway 101 adjoining the Tiburon Planning Area. Town Policy has been to maintain the major access route, Tiburon Boulevard (State Route 131) as a two-lane road beyond Trestle Glen Road. Specific policies concerning circulation and traffic improvements are contained in the Circulation Element.

2. Water. The Tiburon Planning Area is supplied with domestic water by the Marin Municipal Water District (MMWD). According to the MMWD publication "Marin's Water Future" (June, 1989), the District provides water to over 56,000 services in a 147 square-mile area that includes Central and Southern Marin County. This area is served by a system of county-wide reservoirs and storage tanks with a capacity of 66 million gallons.

During the early 1970's, the District imposed a moratorium on new connections. The District lifted the moratorium after it increased water storage capacity, acquired additional water rights and encouraged conservation. In December 1986, the District passed mandatory conservation measures for all new construction. In August 1988, the District requested 15% voluntary rationing for Marin County residents. In March of 1989, this was increased to 35% mandatory rationing. One month later, as a result of significant rainfall, the rationing was lifted. Then on April 18, 1989, the District imposed a restriction on new water connections concurrent with the water rationing program. While the rationing program was lifted with the advent of significant rainfall, the restriction on new water connections will not be lifted until additional water supplies are developed. No new water connections are being allocated unless water was previously committed to the project. Approximately 2,000 units in the service area have what the District calls "off services" or a meter on the lot that is currently not in use. These lots can receive water from a special allotment set aside by the District for this situation. In order to get onto the waiting list for "new" water, a building permit or letter stating that a building permit will be granted once a water allocation is made, is required.

New sources of water being considered by the District include desalinization, water from Yuba County or additional water from the Russian River. The earliest that additional water supplies could be on line is between 3 and 4 years. Any new source or supply of water will require the passage of a public bond measure. The District anticipates that development of this additional water could significantly raise water fees.

According to a preliminary report on the Water Supply Master Plan, the District needs to expand its operational yield by 40 percent to serve the anticipated growth in Marin County by 2025. The report recommends that the District add 14,000 acre-feet to its annual water supply before restrictions can be lifted. If infrastructure capacity limits are reached in the District, such capacity limits could affect the timing of production of new housing within the area served by the District.

3. Sewage Treatment. Although parts of the Tiburon Planning Area have no sewer systems available, the Regional Water Quality Control Board will no longer permit septic systems. In all cases, sewer lines could be extended to potential development areas. If infrastructure capacity limits are reached in a district, such capacity limits could affect the timing of production of new housing within the area served by the respective district. Four sanitary districts serve the Tiburon Planning Area:

-Richardson Bay Sanitary District -Sanitary District No. 5
-Marin County Sanitary District No. 2 -Alto Sanitary District

Richardson Bay Sanitary District (RBSD) and Alto Sanitary District (ASD) have their effluent sent to the Sewer Agency of Southern Marin (SASM) treatment station in Mill Valley. Sanitary District No. 5 treats its effluent on-site in Tiburon and the Marin County Sanitary District No. 2 sends effluent to the Central Sanitary District of Marin County at San Rafael.

The Water Board has placed limits on the number of new connections permitted by the two districts served by SASM, which are entirely within the Town of Tiburon Planning Area, as follows:

Richardson Bay Sanitary District - 730.6 equivalent dwelling units.
Alto Sanitary District - 135.0 equivalent dwelling units.

An "equivalent dwelling unit" allows allocations to be made to either housing units or to commercial establishments in increments which are weighted like dwelling units.

The Tiburon General Plan proposes development within the service areas of both of the districts subject to limits. The amount of development proposed in the General Plan exceeds the allocation of equivalent dwelling units for the Alto Sanitary District but is slightly less than the Richardson Bay Sanitary District limits.

However, when secondary units are considered, RBSD limits would probably be exceeded. When office development at Strawberry Employment Center is considered, RBSD limits will certainly be exceeded.

CONCLUSION

As discussed above, much of the regulation and fees that accompany the development of housing acts to increase the cost of housing and constrains the availability of affordable housing. Yet these regulations and fees are needed to protect existing residents from the otherwise externalized costs of new development, and to ensure the health, safety and welfare of residents.

A review of Tiburon's policies and regulations indicates that the Tiburon Planning Area may not be able to meet demand for a wide variety of housing since the majority of remaining vacant land is suitable only for low density single family housing. The extent to which vacant lands are physically constrained is an atypical constraint to the development of multi-family and affordable units. Possible ways in which the Town of Tiburon can lessen the constraints on the construction of affordable housing imposed by its regulatory system include the following:

1. On a case by case review basis, allow secondary dwelling units on lots of less than 10,000 square feet;
2. Eliminate permit fees for affordable units;
3. Designate a portion of the current Town Hall site for multi-family housing to suit the needs of the elderly or below-market needs and possibly relocate the Town Hall to free the site for housing;
4. Increase densities where appropriate to accommodate affordable housing;
5. Raise in lieu fees to a realistic level;
6. Work in conjunction with the County and Marin cities to fund affordable housing in areas zoned appropriately with easy access to transit and/or employment centers.

VII. PROFILE OF THE TIBURON PLANNING AREA

Summary of Recent Growth Projections

The Association of Bay Area Governments (ABAG) in Projections '90 estimates that the Tiburon Planning Area will grow by 1,200 persons between 1990 and 1995 and by 1,900 persons between 1990 and 2005. Households are expected to increase by 600 households between 1990 and 1995, and by 1,150 between 1990 and 2005. The average size of the household over the same period is expected to decline from 2.20 persons per household to 2.10 persons per household. Countywide, the average household size is projected to decrease to 2.20 persons per household by 2005. (See table 6, below).

Table 6: Overview of Tiburon Planning Area, Population Projections 1990-2005.

	<u>1990</u>	<u>1995</u>	<u>2000</u>	<u>2005</u>
Population	13,700	14,900	15,200	15,600
Households	6,230	6,830	7,100	7,380
Average Household Size	2.20	2.17	2.13	2.10

Source: ABAG, Projections '90

Population Trends in the Tiburon Planning Area

Population growth in the Tiburon Planning Area is slowing dramatically. The decade of greatest numerical growth occurred in the 1950's. As Table 7, Population Trends, Past, Existing and Projected, indicates, this is partially reflected in Marin County and the Bay Area, although their growth rates were substantially less in the 1950's and 1960's. Between 1990 and 2005, the Bay Area is projected to grow at a greater rate than either the Tiburon Planning Area or Marin County in the next decade.

Table 7: Population Trends, Past, Existing and Projections.

	Tiburon Planning Area	Tiburon as a Percent of Marin County	Marin County	Marin County as a percent of the Bay Area	Bay Area
	-----	-----	-----	-----	-----
1950	2,032 (a)	2.4%	85,619 (c)	3.2%	2,681,322 (c)
1960	6,850 (a)	4.7%	146,820 (c)	4.0%	3,638,939 (c)
1950-1960 Increase	237.1%		71.5%		35.7%
1970	12,000 (a)	5.8%	208,150 (c)	4.5%	4,630,311 (c)
1960-1970 Increase	75.2%		41.8%		27.2%
1980	13,336 (c)	6.0%	222,568 (c)	4.3%	5,179,784 (c)
1970-1980 Increase	11.1%		6.9%		11.9%
1990	13,700 (b)	6.1%	224,750 (b)	3.9%	5,800,850 (b)
1980-1990 Increase	2.7%		1.0%		12.0%
1995	14,900 (b)	6.4%	231,700 (b)	3.8%	6,136,750 (b)
1990-1995 Increase	8.8%		3.1%		5.8%
2000	15,200 (b)	6.3%	240,700 (b)	3.7%	6,442,400 (b)
1995-2000 Increase	2.0%		3.9%		5.0%
2005	15,600 (b)	6.3%	248,750 (b)	3.7%	6,656,950 (b)
2000-2005 Increase	2.6%		3.3%		3.3%

(a) Estimated from U.S. Census

(b) ABAG, "Projections 90"

(c) Actual U.S. Census data

Employment Trends

Population distribution, while important, is only one part of the housing equation. The other part is employment. Jurisdictions which do not balance a high increase in employment with a high increase in population (or housing opportunities), can expect an increase of in-commuters to those jobs in the morning and an increase in out-commuters in the evening.

The Tiburon Planning Area has had only modest employment growth in the past and, according to ABAG, will have less growth in the future. Between 1990 and 2005, employment in the Tiburon Planning Area is expected to increase by approximately 230 persons, from approximately 2,950 total jobs to approximately 3,180 jobs. Over the same period, employed residents are expected to increase by 1,300 persons. See Table 8, below.

Table 8: Employment Trends According to ABAG, Projections '90.

	ABAG Projections for the Tiburon Planning Area	ABAG Projections for Marin County	Tiburon Planning Area as a Percent of Marin County	ABAG Projections for the Bay Area	Tiburon Planning Area as a Percent of Bay Area
	-----	-----	-----	-----	-----
1980	2,480	77,853	3.2%	2,535,155	0.10%
1990	2,950	99,950	3.0%	3,073,280	0.10%
1980-1990 Increase	19.0%	28.4%			
1995	3,140	114,910	2.7%	3,418,900	0.09%
1990-1995 Increase	6.4%	15.0%			
2000	3,130	123,680	2.5%	3,705,980	0.08%
1995-2000 Increase	-0.3%	7.6%			
2005	3,180	132,660	2.4%	3,954,160	0.08%
2000-2005 Increase	1.6%	7.3%			

Source: ABAG, "Projections 90"

The Town of Tiburon has substantial numbers of "uncounted" employees which do not show up as projected or estimated employment by ABAG, even though jobs are actually held, income is actually earned and members of the labor force are participating in the economy. The reasons that some jobs are not accounted for is due to ABAG's projection procedures which depend in part upon the California Employment Development Department (EDD) estimates of jobs. EDD data is based on wage and salary employees and does not take into account sole proprietors, the self-employed, family workers, and domestic workers in the household.

In the Tiburon Planning Area, the uncounted employees consist of two major groups: domestic workers, (such as maids, gardeners, au pairs, and caretakers) and persons with businesses in their homes. To substantiate that there are many home businesses in the Town that may not be counted as employment, a comparison of Town business licenses to commercial telephone numbers listed in the reverse directory for the Town indicated that only 62% of the listed businesses have business licenses. This indicates that many workers are not counted in any one source. However, when such workers (typically low-skilled and at low pay scales) are housed where they work three benefits emerge: 1) The commute trip is eliminated; 2) Persons who might be unemployed and seeking work are employed as domestic workers; 3) Households who might be unhoused and seeking affordable housing are provided housing as part of their jobs.

Surveys were taken for the General Plan that are referred to in this Element. These surveys include a Housing Unit Survey conducted in 1986 by Kahn Mortimer Associates. The Housing Unit Survey indicated that 18% of all single family residences have at least one person earning income from the home resulting in approximately 550 persons working in their homes. The Housing Unit Survey also found that 4.6% of all single family residences have live-in employees resulting in approximately 140 employees. This indicates a total of approximately 690 uncounted workers in the Tiburon Planning Area.

Jobs/Housing Balance

The concept of a jobs/housing balance is being used by planners to measure the degree to which sub-regions are inducing commute travel as they grow and develop. A jobs/housing balance is achieved in a sub-region where there is a ratio of jobs to households equal to the ratio of workers to households. For example, a city that has an average of 1.5 workers per household would need to produce 1.5 jobs for every household to be in balance. A sub-region is said to be out of balance if it either has more jobs than workers (i.e. is job rich) or has more workers than jobs (i.e. is housing rich). In 1980, the Tiburon Planning Area had 0.42 jobs to households. This ratio is expected to rise to 0.47 in 1990 and then fall back to 0.43 in 2005. See Table 9. This imbalance forces a net out-commute every morning and a net in-commute every evening.

Table 9: Jobs/Housing Balance.

Year	Number of Jobs	Number of Households	Ratio of Jobs to Households	Ratio of Employed Residents to Households
1980	2,480	5,866	0.42	1.28
1990	2,950	6,230	0.47	1.30
1995	3,140	6,830	0.46	1.29
2000	3,130	7,100	0.44	1.30
2005	3,180	7,380	0.43	1.27

Source: ABAG, Projections '90

Employee Salaries

The Employer Survey in 1986 found a median employee salary for people who work in the Tiburon Planning Area of \$12,500.00 per year. This low number included part-time employees including children and spouses of primary wage earners. In 1987, the Household Income Survey sampled information of employee salaries and household income and found a median annual employee salary of \$12,650.00 and a median household income of \$36,000.00 per year. This data indicates that most employees working in the Tiburon Planning Area bring home less than other members of their household, and that salaries paid to Tiburon Planning Area employees do not reflect the total income available for housing costs. The Tiburon Planning Area employees' annual household income of \$36,000.00 is almost identical to the 1986 Marin County Median Income of \$36,300.00. However, this household income is still insufficient to purchase market-rate housing in the Tiburon Housing Area.

Housing Characteristics

1. Number of Housing Units.

The number of past, existing and projected housing units for the Tiburon Planning Area is shown in Table 10. Housing units are expected to increase by approximately 540 units between 1989 and 1995. Approximately 135 of these units are expected to be multi-family units, while the remaining 405 units are expected to be single family units. Based on 1990 post-census data, as of April 1, 1990 there are 3,500 housing units within the Town of Tiburon, and 2,700 housing units within the unincorporated areas in the Tiburon Planning Area, for a total of 6,200 housing units.

Table 10: Number of Housing Units (Past, Existing & Projected) in Tiburon Planning Area.

<u>Year</u>	<u>Number of Housing Units</u>
1960	2,416 (a)
1970	4,556 (a)
1980	6,052 (a)
1990	6,200 (a)
1995	6,740 (b)
2000	7,060 (b)
2005	7,200 (b)

Sources: (a) U.S. Census; 1990 data based on preliminary counts;
 (b) Projection of the Tiburon Planning Department, 1990

2. Average Household Size. The basis for population projections are household projections. When households increase, population often increases. However, changing household sizes can distort this relationship. If household size decreases, then households can increase slightly and still result in decreasing population. This has occurred in the past in San Francisco. In the Tiburon Planning Area, a declining household size steadily lowered population growth until 1980.

Household composition is changing while household size is decreasing. In 1980, the U.S. Bureau of the Census found a household size in the Tiburon Planning Area of 2.27 persons. ABAG Projections '90 predicts that household size will continue to decline between 1990 and 2005. One major reason for the declining household size is the increase of elderly households. Other reasons for declining household size include the following: 1) people are having fewer children; 2) there are more single-parent households; 3) people are getting married later in life; and 4) the divorce rate has increased since 1950. All of these factors have combined to decrease the average household size.

Table 11: Projections of Population, Household Size and Households, Tiburon Planning Area, 1950 - 2005

<u>Year</u>	<u>Approximate Population</u>	<u>Household Size</u>	<u>Approximate Households</u>
1950	2,032 (a)	3.15 (a)	645 (b)
1960	6,850 (a)	3.13 (a)	2,206 (b)
1970	12,000 (a)	2.74 (a)	4,392 (b)
1980	13,512 (c)	2.27 (c)	5,866 (c)
1990	13,900 (c)	2.20 (c)	6,230 (c)
1995	15,100 (c)	2.17 (c)	6,830 (c)
2000	15,400 (c)	2.13 (c)	7,100 (c)
2005	15,800 (c)	2.10 (c)	7,380 (c)

Sources: (a) Estimated from U.S. Census data; (b) U.S. Census; (c) ABAG, Projections '90.

This Housing Element adopts the projections of ABAG, Projections '90. The Land Use Element proposes a standard consistent with ABAG projections of 2.2 persons per household for multi-family construction.

3. Type of Housing Units. Past data for housing units broken out by type is unavailable for the entire Tiburon Planning Area, but a Land Use Survey by the Town of Tiburon indicates that the incorporated area has a greater percentage (55%) of single family units than the entire Tiburon Planning Area (48%). It is likely that the percentage of single family units will increase slightly over the next 20 years.

Almost 5% of all housing units in the Tiburon Planning Area in 1986 were secondary units, based on estimates by Kreines & Kreines. Most of the secondary units are not recorded with the Town and are considered by the Town as illegal units. This phenomenon is less pronounced in the unincorporated areas of the Tiburon Planning Area.

The Housing Unit Survey found that approximately 7.8% of all responding households had other households living on their property. Some of these may be tenants, boarders or live-in household help. It is probable that almost 10% of all Tiburon Planning Area single family dwellings have additional households living in secondary units. This conclusion is based on the following data:

Table 12: Survey of Secondary Dwelling Units in Tiburon, 1986.

	<u>Percent of Respondents</u>	<u>Total Number</u>	<u>Imputed Total</u>
Secondary Unit Sharing Lot with primary household	7.8%	3,054	238
Live-ins on Property	4.5	3,054	137
Subtotal of Potential Secondary Units	12.3%		375
Less Reported Secondary Units	2.6	3,054	79
Total Estimated Secondary Units	9.7%		296

Source: Household Unit Survey, 1986

These data conform closely to the estimate of 295 secondary units reached by comparing results of the Household survey with the Marin County Assessor's rolls.

Table 13: Type of Units, Town of Tiburon and the Tiburon Planning Area, 1986

Type of Units	Number in Town of Tiburon	Percent of Town of Tiburon	Number in Tiburon Planning Area	Percent of Tiburon Planning Area
Single Family	1,902	55.2%	3,054	48.3%
Two-family	262	7.6	372	5.9
Multi-family	1,281	37.2	2,608	41.2
Secondary Units	295(a)	4.7		
Totals	<u>3,445</u>	<u>100.0%</u>	<u>6,329</u>	<u>100.0%</u>

Source: Town of Tiburon Land Use Survey, 1986. (a) Secondary units were estimated as the difference in units as related to households found in the Household Survey and the number of total units recorded by the Marin County Assessor. The reliability of this data is uncertain, but data on illegal units is always difficult to substantiate.

Table 14, shows the breakdown of housing units by type to be added in the Tiburon Planning Area between 1990 and 2005. Single family units will predominate, primarily because of the type of land remaining to be developed in the Tiburon Planning Area. Legally authorized secondary dwelling units will be a small proportion of new units created.

Table 14: Projected Type of Units to be Added Between 1990 and 2005

	<u>Number of Units</u>	<u>Percent</u>
Single-Family	831	83.1%
Two-Family	36	3.6%
Multi-Family	123	12.3%
Secondary Units (legal)	10	1.0%
Totals	1,000	100.0%

Source: Town of Tiburon Planning Department, September 1990.

4. Existing Affordable Housing. There are a number of affordable housing projects within the Tiburon Planning Area. These projects are described briefly in this section.

The Hilarita, an FHA insured multi-family rental project, provides 102 units of below market rent units affordable to moderate and low income households. The project is owned by a limited partnership with Tiburon Ecumenical Association as the managing partner. The agreements that provide the subsidies to this project will expire in 1994. At that time, the Ecumenical Association has the first right of refusal at the time of sale to purchase the project. The Town is working to maintain the Hilarita as affordable housing.

Other affordable projects in the Tiburon Planning Area include the Bradley House, Point Tiburon, Kruger Pines and Tiburon Hill Estates. The Bradley House provides 12 units of housing affordable to seniors. Recently, three new units were approved for addition to the Bradley House, and are currently under construction. Point Tiburon includes 20 units (of 155 total units) which were sold for below-market rates. These units are subject to a deed restriction which requires that they be resold as affordable units. The Tiburon Hill Estates Condominium Project contains 16 units which are to be maintained as affordable units in perpetuity. An additional 40 units must be maintained as rental units in perpetuity. With the exception of the Hilarita, none of these units is in jeopardy of reverting to market rate housing.

5. Housing Tenure in the Tiburon Planning Area.

In 1980, 53% of housing units in the Tiburon Planning Area were owner-occupied and 47% tenant-occupied. The Household Survey indicated 67% of housing units were owner-occupied and 33% were tenant-occupied.

Table 15: Housing Tenure, By Census Tracts, 1980.

Tenure	Census Tract 1241	Census Tract 1242	Census Tract 1250	Total Tiburon Planning Area
Occupied Units	1,913	2,261	1,692	5,866
Number of Owner Occupied Units	1,049	1,415	622	3,086
Percent of Owner Occupied Units	54.8%	62.6%	36.8%	52.6%
Number of Renter Occupied Units	864	846	1,070	2,780
Percent of Renter Occupied Units	45.2%	37.4%	63.2%	47.4%

Source: U.S. Census, 1980

6. Age of Housing Units in the Town of Tiburon.

Data on age of housing units are only available for 1980 in the Town of Tiburon. No records are available for the unincorporated area, although similar distribution is assumed. The majority of housing units in the Tiburon Planning Area were built within the 20 years between 1950 and 1970, which corresponds to the growth in population during that period.

Table 16: Age of Housing Units, Town of Tiburon.

	<u>Number</u>	<u>Percent</u>
1939 and earlier	201	7.4%
1940 to 1949	133	4.9%
1950 to 1970	1,564	57.9%
1971 to 1980	804	29.8%
Total through 1980	2,702	100.0%

Source: Tiburon Housing Element, 1984

7. Housing Conditions in the Tiburon Planning Area.

A windshield survey conducted in 1987 by the Town of Tiburon within the Town limits found 11 deteriorated housing units and one dilapidated unit (since demolished). A windshield survey conducted by Kreines & Kreines in 1987 of the unincorporated area of the Town of Tiburon Planning Area found an additional 23 deteriorated units. Thus, a total of 35 units could be considered to be in need of rehabilitation.

8. Number of Overcrowded Units. Overcrowded units are defined as those containing 1.01 or more persons per room. Overcrowding was included in the 1980 U.S. Census. The Household Survey found that the number of rooms per housing units in 1986 (5.91 rooms) is an increase over the number of rooms per housing unit in 1980 (5.36 rooms) by the U.S. Census. However, more persons per household were found in 1986, and the number of rooms per person in a household is actually a closer approximation of overcrowding.

In 1980, the U.S. Census found 2.36 rooms per person (an average of 0.42 persons per room) while the Household Survey found 2.38 rooms per person (an average of 0.42 persons per room). It can be assumed that overcrowding is approximately the same today as it was in 1980. See Table 17, which is on the following page.

Table 17: Number of Overcrowded Units by Census Tracts, 1980.

	<u>1241</u>	<u>1242</u>	<u>1250</u>	<u>Total Tiburon Planning Area</u>
Total Over- crowded Units	15	23	45	83
% of Households in Overcrowded Units	0.8%	1.0%	2.7%	1.41%
Number of Overcrowded Rental Units	5	15	41	61
Number of Overcrowded Owner Occupied Units	10	8	4	22

Source: U.S. Census, 1980

Note: Overcrowded units are those containing 1.01 or more persons per room.

9. Household Income.

Household income is a critical variable in determining ability to qualify for buying or renting housing. While households with asset accumulations (e.g. previous home) may not be as constrained by household income, most households are guided by their regular ability to pay rent or mortgage payments. Each year the United States Department of Housing and Urban Development (HUD) publishes income limits for California to be used in conjunction with Federal housing programs. These statistics are reported by primary metropolitan statistical area (PMSA) or by county where no PMSA has been defined. State housing law requires that these HUD figures be used when defining lower income households (see Health and Safety Code Section 50079.5). The PMSA that is applicable to Tiburon is the San Francisco PMSA. The median family income for 1990 in that PMSA is \$45,600.

While the median family income covers a large area, studies done in 1986 by Kahn Mortimer Associates found a median household income in 1986 for the Tiburon Planning Area of \$44,986 and for the Town of Tiburon of \$70,306. There is a large variance in these data permitting only general conclusions. Household income in the Tiburon Planning Area (particularly in the Town of Tiburon) is much greater than the San Francisco PMSA. By comparison, information provided by the Housing Authority in Marin County indicate that the median income for a 4-person Marin household was 42,500.00 in 1988.

VIII. HOUSING COSTS AND THE ABILITY TO PAY

Level of Payment Compared to Ability to Pay: In 1980, 39.6% of Tiburon renters and 35% of Tiburon owners were overpaying for housing.

Table 18: Number of Persons Overpaying for Housing

<u>Income Level</u>	<u>Renters</u>	<u>Homeowners</u>
Under \$5,000	53	32
\$5,000 to \$9,999	54	63
\$10,000 to \$14,999	89	69
\$15,000 to \$19,999	53	55
\$20,000 and over	97	397
Total	346	616

Source: Town of Tiburon, Housing Element, 1984, p. 11.

Housing Costs

Housing costs for a three-bedroom, single family home in Tiburon have risen 115% between 1980 and 1989 as shown in Table 19.

Table 19: Average Sales Price of a 3 Bedroom Single Family Home in the Tiburon Planning Area.

	<u>1980</u>	<u>1985</u>	<u>1990</u>
Average Sales Price	\$283,345(a)	\$333,553(b)	\$610,000(c)

Sources:(a) Town of Tiburon, Housing Element, 1984, p. 5; (b) Kahn Mortimer Associates, Tiburon General Plan Data Book, 12,86, p. 21; (c) Average Value, Coldwell Banker/San Francisco Examiner, 1990

Home Ownership Affordability

According to HUD, the median income for a family in 1986 was \$36,300. According to the Household Survey, the median income for the Tiburon Planning Area for 1986 was \$44,986 and for the Town of Tiburon was \$70,306. According to HUD, the median income for the PMSA is \$45,600. With a median family income in 1990 being \$45,600, Table 20 approximates the Tiburon Planning Area median income and the Town of Tiburon median income.

Table 20: Estimated Median Family Income

Year	HUD	Tiburon Planning Area	Town of Tiburon
1986	\$36,300	\$44,986	\$70,306
1990	45,600	56,511	88,318
% Change	25.6%	25.6% (est)	25.6% (est)

Source: Terrell Watt, Planning Consultant, 1990

Table 21 shows what a family earning the HUD, Tiburon Planning Area, or the Town of Tiburon median income could afford to spend to purchase housing. This table is based on a 20% down payment and a 30-year fixed mortgage at a 11% interest rate. The breakdown is given for 25% and 30% of gross income spent for housing costs.

Table 21: Home ownership at HUD, Tiburon Planning Area, and Town of Tiburon Estimated Median Income Levels

Income Levels	Annual Income	Monthly Payment	Down Payment	Mortgage Amount	Price of Housing
HUD:					
25% of Income	\$45,600	\$ 950	\$24,939	\$ 99,755	\$124,694
30% of Income	45,600	1,140	29,927	119,706	149,633
Tiburon Planning Area:					
25% of Income	\$56,511	\$1,177	\$30,906	\$123,624	\$154,530
30% of Income	56,511	1,413	37,087	148,349	185,436
Town of Tiburon:					
25% of Income	\$88,313	\$1,840	\$48,299	\$193,195	\$241,494
30% of Income	88,313	2,208	57,959	231,834	289,793

Source: Terrell Watt, Planning Consultant, 1990

Table 22 shows the income necessary to purchase a home in Tiburon at the 1989 average value for a 3 bedroom home. This chart is based on a 20% down payment with a 30-year fixed mortgage at 11%. The breakdown is given for 25% and 30% of gross income spent for housing costs.

Table 22: Income Needed to Purchase a Home (in dollars)

	<u>Annual Income</u>	<u>Monthly Payment</u>	<u>Down Payment</u>	<u>Mortgage Amount</u>	<u>Price of Housing</u>
25% of Income	223,074	4,647	122,000	488,000	610,000
30% of Income	185,880	4,647	122,000	488,000	610,000

Source: Terrell Watt, Planning Consultant, 1990

The median family income has been increasing at a slower rate than the price of housing. Therefore, fewer households can afford to purchase housing in the Tiburon Planning Area.

For first time buyers in the County of Marin, housing has become exceedingly difficult to purchase. The median price of a home in the County was \$270,997 in 1988 according to the Marin County Housing Element. The annual carrying costs, including mortgage payments, property tax and insurance with a 20% down payment and a 30-year fixed mortgage at 10% interest would be affordable to households earning \$88,700.00. These figures indicate that far less than half of the County's population would be able to purchase a home for the first time in the County.

Housing Rent: Housing rents have risen between 1981 and 1989.

Table 23: Average Rent in Tiburon

	<u>1981</u>	<u>1986</u>	<u>1989</u>
2 bedroom apartment	\$550-795(a)	\$975(b)	\$1,100(c)

Source: (a) Town of Tiburon Housing Element, 1984; (b) Kahn Mortimer Associates, Tiburon General Plan Data Project, 1/30/87, p. 4; (c) Rental survey 3/90, Terrell Watt, Planning Consultant.

While rental costs have grown by about 13% from 1986 to 1989, this is about half the rise in median income for the same period. As such, while home ownership may becoming more difficult, the financial ability to rent an apartment in Tiburon has increased.

Rent Affordability

Table 24 shows what a family earning the HUD, Tiburon Planning Area, or Town of Tiburon median incomes could afford to spend for rent. The breakdown is given for 25% and 30% of gross income spent for rent. Table 25 shows the income necessary to rent a two bedroom apartment in Tiburon at the 1989 average rent. From 1986 to 1990, the HUD median household income for the Tiburon Planning Area has increased over 25% from \$33,600 to \$45,600. The median rent increased at only a 13% rate. However, the median income person must still spend over 25% of monthly income for rent.

Table 24: Rental Affordability: a) at HUD Median Income, b) at Tiburon Planning Area Median Income, and c) at Town of Tiburon Median Income.

Rental Affordability: a) at HUD Median Income

	Annual Income Range	at 25% of Income up to \$475	Rent Amount at 30% of Income up to \$570
Very Low Income:	up to \$22,800		
Low Income	\$23,256 to \$36,480	\$ 485 to \$ 760	\$ 581 to \$ 912
Moderate Income	\$36,936 to \$54,720	\$ 770 to \$1,140	\$ 923 to \$1,368
Above Moderate Income	\$55,176 and over	\$1,150 and over	\$1,379 and over

Rental Affordability: b) at Tiburon Planning Area Median Income

Very Low Income:	up to \$28,256	up to \$589	up to \$706
Low Income	\$28,821 to \$45,209	\$ 600 to \$ 942	\$ 720 to \$1,130
Moderate Income	\$45,774 to \$67,813	\$ 954 to \$1,413	\$1,144 to \$1,695
Above Moderate Income	\$68,378 and over	\$1,425 and over	\$1,709 and over

Rental Affordability: c) at Town of Tiburon Median Income

Very Low Income:	up to \$44,156	up to \$910	up to \$1,104
Low Income	\$45,040 to \$70,650	\$ 938 to \$1,472	\$1,126 to \$1,766
Moderate Income	\$71,534 to \$105,975	\$1,490 to \$2,208	\$1,788 to \$2,649
Above Moderate Income	\$106,859 and over	\$2,226 and over	\$2,671 and over

Very Low Income (up to 50% of median); Low Income (51% to 80% of median); Moderate Income (81% to 120% of median); Above Moderate Income (above 121% of median).
Source: Terrell Watt, 1990.

Table 25: Income Necessary to Rent Average Two Bedroom Apartment in 1990.

	At 25% Of Income For Rent	At 30% Of Income For Rent	Monthly Rent Amount
Income Necessary	\$52,800	\$44,000	\$1,100

Source: Terrell Watt, Planning Consultant, 1990

IX. OTHER HOUSING NEEDS

California Government Code Section 65583(a) requires an analysis of special housing needs including families with female heads, large households, handicapped (disabled), elderly, homeless and farm workers. The following section analyzes the above special needs for all of the above categories except farmworkers.

Households With Female Heads

Table 26: Households Headed by a Female by Census Tract, 1980

Type of House-hold Headed by a Female	Census Tract 1241	Census Tract 1242	Census Tract 1250*	Total Tiburon Planning Area
Number	534	552	597	1,683
Percent	27.9	24.4	35.3	28.7
Number with One Person	294	303	400	997
Number Containing Children	154	169	104	427
Number Containing Unrelated Males and Females	86	80	93	259

* Strawberry; Source: U.S. Census, 1980

The Household Survey completed in 1987 indicated that only 19% of the households were headed by a female. This decline in the number of households headed by women may be due to the difficulty of these households to remain in the Tiburon Planning Area due to high housing costs.

This compares with about 11% of the families in unincorporated Marin County headed by women in 1980 (2,003 out of 17,600 total households). Approximately 70% of the female headed households were families with children. Approximately 20% of those families had incomes below the poverty level. According to the Marin County Housing Element, approximately 267 additional female headed households were added in the County between 1980 and 1989.

Number of Large Households

A large household is one containing five or more persons. The Household Survey found that in 1986 5.2% of the households in Tiburon were large households as compared to the 6.4% of households in the Tiburon Planning Area. This can be explained by the greater percent of large households in the County, approximately 11% of households, as compared to the Town of Tiburon.

Table 27: Large Households by Census Tracts, 1980

Large Households	Census Tract 1241	Census Tract 1242	Census Tract 1250	Total Tiburon Planning Area
Total Number	144	167	62	373
Percent of Households that are Large	7.5%	7.4%	3.7%	6.4%
Number in Rental Units	25	30	19	74
Number in Owner Occupied Units	119	137	43	299

Source: U.S. Census, 1980

Number of Disabled Persons

An estimate of disabled persons was obtained from the 1980 Census data categories of "Work Disability" and "Transportation Disability." Persons with a work Disability have a health condition that limits the kinds or amounts of work they can do or prevents them from working at any job or business. Persons with a Transportation Disability have a health condition that makes it difficult or impossible for them to use public transportation. The Town of Tiburon assumes that in 1989 the percentage of disabled persons remains approximately the same as in 1980. Table 28, on the following page, indicates the number of disabled persons by census tract in 1980.

Based on U.S. Census figures there were an estimated 4,290 handicapped persons in unincorporated Marin in 1989, including both physically and mentally handicapped people. It was estimated that there was an unmet need for 13 beds for mentally handicapped people in the County in 1989, according to the Golden Gate Regional Center. As of February 1990, there was no information available on the unmet housing needs for physically handicapped people, however there is probably a significant unmet need for this group as well. The number of handicapped people in unincorporated Marin County is expected to increase by 30 people by the year 1995.

Table 28: Disabled Persons by Census Tracts, 1980

Disabled Persons	Census Tract 1241	Census Tract 1242	Census Tract 1250	Total Tiburon Planning Area
Total Number of Persons with a Work Disability	203	133	117	453
Percent of Population with Work Disability	4.5%	2.5%	3.3%	3.4%
Total Number of Persons with a Transportation Disability	52	106	101	259
Percent of Persons with a Transportation Disability	1.2%	2.0%	2.8%	1.9%
Number of Persons age 16-64 with a Transportation Disability	19	16	32	67
Number of Persons age 65 and older with a Transportation Disability	33	90	69	192

Source: U.S. Census, 1980

Number of Elderly Persons

Elderly persons are those 65 years of age or older. The elderly segment of the population is increasing in all census tracts of the Tiburon Planning Area.

Table 29: Number of Elderly Persons by Census Tracts, 1980 and 1986.

Elderly Persons	Census Tract 1241	Census Tract 1242	Census Tract 1250	Total Tiburon Planning Area
1980 Total Elderly	404	554	291	1,249
1980 Percent Elderly	8.9%	10.2%	8.2%	9.2%
1986 Total Elderly	568	88	372	1,828
1986 Percent Elderly	10.6%	13.8%	9.4%	11.6%

Source: Household Survey, 1986.

A 1985 study, "Coming of Age in Marin", by the Marin County Area Agency on Aging found that most of Marin's elderly population lived alone or with their spouse only. Of those that lived alone, 70% were women. The study also found that the elderly would prefer to stay in their homes as a general rule, and that elderly renters spend five times more of their income on housing than elderly homeowners. Thus, the housing needs of the elderly include affordable rental housing, low interest rehabilitation loans, rental assistance and easy access to health and social services.

Data for Marin County indicates that the population is continuing to get older as the following tables suggest.

Table 30: Aging Population in Marin County

Percent of Aging Population	1980	1989
Over age 65	9.7%	11.6%
Over age 75	3.9%	4.5%
Over age 85	1.0%	1.2%

Source: California Dept. of Finance, 1989.

Table 31: Projected Number of Elderly Persons in Marin County, Year 2000, by California Department of Finance.

Age of Elderly Persons	Number	Percent
Over 65 years	46,578	20%
Over 75 years	17,578	7%
Over 85 years	4,625	2%

Source: California Dept. of Finance, 1989.

Discrimination and Need for Emergency Housing

Homeless people who require emergency shelters and transitional housing include veterans, families with children and mentally ill persons. There are two types of housing needed by homeless persons, transitional housing and emergency shelters. Transitional housing tends to have more private sleeping quarters and living areas able to accommodate families, while shelters are used primarily by homeless adults who need food and a warm place to sleep.

The Marin County Blue Ribbon Homeless Working Group was formed in October 1989 to recommend the most effective ways to apply limited resources to serve the needs of homeless people in Marin County. In August 1990 a final report was issued which offers detailed implementation guidelines for (1) scattered site emergency housing, (2) daytime human resource centers, (3) a county-wide Homeless Commission and Coordinator, and (4) a transportation voucher system. The County has taken lead responsibility for responding to the fifth goal of addressing the immediate needs of winter armory residents. This working group which is made up by a consortium of government, religious, and other interested groups has conducted the most detailed study on dealing with the homeless issues in Marin County. The Working Groups recommendations are currently under consideration.

The 1986 amendment to the housing element law requires an identification of adequate sites which will be made available through appropriate zoning and development standards for emergency shelters and transitional housing. The current Town Hall site has been designated by the Town for an emergency shelter, should interest be shown in constructing such a shelter in the Town.

1. Discrimination The Fair Housing Advocacy Program maintains a Fair Housing Hotline that receives complaints regarding housing discrimination in Marin County. Almost all the complaints received by this agency relate to discrimination in rental housing. The agency received 737 inquiries in 1989, a 14% increase over 1988 for the entire county. In 1989, three of the complaints were from the Tiburon Planning Area. In 1989, approximately 36% of the discrimination complaints in Marin County were for child discrimination. The Fair Housing Advocacy Program estimates that these are only a small portion of the incidence of discrimination against families with children in Marin County. (Fair Housing Program Report, June 1989). The number of persons complaining of housing discrimination in the Tiburon Planning Area appears to be small. The Town should refer all potential discrimination complaints to the Fair Housing Advocacy Program.

2. Emergency Housing There are no statistics on the need for emergency housing in the Tiburon Planning Area. However, the Town of Tiburon Police Department has records of 3 homeless persons in the corporate limits. It has been determined pursuant to Government Code Section 66583(a)(3) that there are not sufficient homeless persons in Tiburon to warrant a Town-sponsored program to provide emergency housing.

X. CONSISTENCY WITH THE GENERAL PLAN

The Housing Element was updated on an interim basis in 1989. At the same time, all other Elements of the Tiburon General Plan were updated. As a result of the concurrent revision process, the 1989 Housing Element was consistent with all other Elements of the General Plan.

These 1991 amendments to the 1989 Housing Element are also consistent with the other Elements of the Tiburon General Plan. Residential densities and site designations are in conformance with the Land Use and Open Space and Conservation Elements. In addition, the density and site designations reflect constraints identified in the Circulation and Safety Elements of the plan.

Goals, policies and programs contained in the Housing Element reflect the goals, policies and programs of the other Elements.

1989-1991	1991-1995	1995-2000	2000-2005	2005-2010	2010-2015	2015-2020	2020-2025	2025-2030	2030-2035	2035-2040	2040-2045	2045-2050	TOTAL 1989-2050
100	100	100	100	100	100	100	100	100	100	100	100	100	1000

1989-1991	1991-1995	1995-2000	2000-2005	2005-2010	2010-2015	2015-2020	2020-2025	2025-2030	2030-2035	2035-2040	2040-2045	2045-2050	TOTAL 1989-2050
8	10	25	40	55	70	85	100	115	130	145	160	175	600

XI. PRIOR HOUSING ELEMENT PERFORMANCE

Table 32 shows the ABAG housing needs determination to 1990 for the Tiburon Planning Area. The ABAG categories are divided by income categories based on the Bay Area's median income.

Table 32: Projected Housing Need for the Tiburon Planning Area, 1980 to 1990.

Income Level	Number of Units	% of Total
Very Low Income (up to 50% of median income)	107	17%
Low Income (51% to 80% of median income)	88	14
Moderate Income (81% to 120% of median income)	107	17
Above Moderate Income (121% and over of median income)	328	52
TOTAL PROJECTED HOUSING NEED	630	100%

Source: ABAG Housing Needs Determinations, September, 1988.

Between 1980 and 1990 a total of approximately 462 units have been or will be built in the Tiburon Planning Area. The following data compare the units that have been built with ABAG's housing needs. **This Housing Element finds that 1980-1990 ABAG housing needs will not be met as shown in Table 33.**

Table 33: Comparison of Housing Need with Actual Housing Construction and Estimated Future Construction, 1980 to 1990.

Income Level	1980-1990 ABAG NEED	1980-1990 UNITS BUILT
Very Low Income	107	9
Low Income	88	10
Moderate Income	107	25
Above Moderate Income	328	418
TOTAL 1980-1990	630	462

Source: Tiburon Planning Department, August 1989.

The Town of Tiburon was under a strict moratorium from October, 1985 to November, 1987. During this time, almost no new construction occurred within the Town. Housing production in the Town was greatly affected by this building moratorium.

However, the Town is anticipating that brisk building activity will occur throughout the Tiburon Planning Area from the period 1989-1995, although the recent moratorium on new water hook-ups enacted by the Marin Municipal Water District may have a slowing effect on new residential construction.

Appendix C to the Housing Element contains a detailed evaluation of the 1984 Housing Element in terms of progress in implementation of its policies and programs. This prior Element was well-founded, with many good programs and policies. Thus, only a few programs which were not implemented have been excluded from this Housing Element. Discontinued policies and programs are identified in the Appendix. All other policies and programs have been carried over into this Housing Element with minor revisions. Revisions were directed primarily at clarifying the policies and programs and detailing specific objectives for housing production, conservation, and rehabilitation.

APPENDIX A: SURVEYS

Some data regarding the Tiburon Planning Area in this Element are divided into three Census Tracts. These Census Tracts are as follows:

1. 1241 - Upper Tiburon Peninsula
2. 1242 - Lower Tiburon Peninsula
3. 1250 - Strawberry

Surveys were taken for the General Plan that are referred to in this Element. The results of these surveys are on file with the Town of Tiburon, Planning Department. These surveys include:

Household Survey. A 1% sample (62 households) of all listed residential telephone numbers in the Tiburon Planning Area were contacted by telephone. This survey was conducted by Kahn Mortimer Associates during October 1986.

Employer Survey. A handout survey was conducted in 1986 of a selected sample of Tiburon Planning Area businesses. Responses were received from 45 businesses representing 6.7% of the area's businesses. The survey was conducted by Kahn Mortimer Associates.

Land Use Survey. Town of Tiburon staff conducted a land use survey in the summer and fall of 1986. Every parcel in the Tiburon Planning Area was checked for its current status, including whether vacant, developed or built upon.

Housing Unit Survey. A mail survey was conducted in June 1987 of all residential addresses in the Tiburon Planning Area. The return rate was 25% or 766 respondents. This survey requested anonymous information regarding numbers of second units and businesses conducted from single family residential units. This survey was conducted by Kreines & Kreines.

Household Income Survey. A mail survey was conducted in June 1987 of all employers with known businesses in the Tiburon Planning Area. Employers were asked to give survey forms to employees to fill out and 79 returns were received. This survey requested anonymous information regarding salaries and household incomes. This survey was conducted by Kreines & Kreines.

APPENDIX B: PARTICIPATORY PLANNING PROGRAM

Community participation was a significant and integral feature of the preparation of the General Plan and the Housing Element. Participatory planning took place throughout the general planning process through a series of ten district-wide workshops and one Townwide Summary Workshop. These workshops took place between August 14, 1986 and March 14, 1987. The districts were grouped into the following areas:

- Upper/North Paradise Drive Area
- West Tiburon Area
- Mid-Peninsula Area
- East Peninsula/Downtown/Old Tiburon Area

Invitations to the workshops were mailed to all residents of the Tiburon Planning Area and published in a local newspaper. The workshop process encouraged participants to express their concerns regarding existing and future goals, policies, objectives, and issues on a neighborhood scale, townwide scale and planning area scale.

Specific issues that were discussed at these workshops included:

- Affordable Housing
- In-lieu housing fees
- Analysis of Residential Development Proposals
- Parcel Coverage per unit
- Residential unit size
- Clustered housing
- Second units
- Old Tiburon zoning
- Circulation
- Tiburon Boulevard
- Parking in Old Tiburon residential areas
- Downtown Tiburon parking
- Downtown Tiburon design guidelines
- Downtown entryway
- Ridge preservation
- View protection
- Town Hall location

Over 130 persons attended the final Townwide Summary Workshop for discussion of site-specific and policy-specific opportunities. Overall, 250 different persons attended workshops.

APPENDIX C: EVALUATION OF 1984 TOWN OF TIBURON HOUSING ELEMENT

The Town has two sizable funds for housing programs which were relied upon heavily in the 1984 housing element:

1. Redevelopment Agency (20% tax increment) set-asides have resulted in housing funds of approximately \$150,000 as of mid-1987.
2. In-lieu fees collected by the town have resulted in a housing fund of approximately \$500,000 as of mid-1987.

The Tiburon Housing Element of 1984 has fulfilled some of its goals, objectives and policies. The following left-hand column contains a listing of the policies, objectives and programs from the 1984 housing Element and the right hand column contains an evaluation of what the Town has achieved as a result of the 1984 Housing Element. The evaluations are based on conversations with Town Manager, Robert Kleinert, and information from the Tiburon Planning Department, August 1989.

OBJECTIVES, POLICIES & PROGRAMS FROM THE 1984 HOUSING ELEMENT

EVALUATION

1. Overall Policies

1.a. The Town shall encourage housing opportunities for all persons to purchase or rent adequate housing, regardless of age, race, sex, marital status, ethnic background, source of income, or other arbitrary factors.

The Town has not received any complaints regarding housing discrimination.

1.b. The Town shall encourage housing development consistent with the environmental constraints of the land.

The Town has met this policy, although voters on April 8, 1986 enacted a 2-year building moratorium. The moratorium expired in November, 1987.

1.c. The Town shall work to include housing for moderate income and lower income persons and families in the community, and shall avoid concentrating such housing in any one area.

The Town has worked toward this policy through attempting implementation of a Second Unit Ordinance, although it is largely unenforceable due to noticing of violators who remove evidence prior to inspection.

1.d. The Town shall maintain a balance between rental and ownership units similar to that presently existing in the Town.

The Town has, previous to 1984, enacted controls on the conversions of rentals to condominiums.

1.e. The Town shall encourage architectural excellence and harmony with the natural and developed environment.

1.f. The Town shall encourage the clustering of development to maximize environmental protection, to provide better land planning, and to reduce infrastructure requirements.

2. Target Group Policy. The Town's priority need groups include elderly, handicapped, Town and Special District employees working within the Town, long-term residents, and families with School-aged children.

3. Policies for the Provision of Below-Market-Rate (Affordable) Housing

3.a. The Town shall emphasize assistance to existing housing units as well as the development of new units in the community.

*3.b. At least 15% of all units in development of ten or more housing units shall be provided at below-market rates.

The Town may permit developers to construct additional below- market-rate units in a development beyond the number of market-rate and inclusionary units up to the maximum density permitted by existing zoning for the parcel.

3.c. The Town shall permit developers to construct inclusionary units in a different form, but harmonious with, the market rate units in the same development.

The Town has attempted to achieve this policy through the design review process.

The Town has previously interpreted cluster development to be large houses on small lots with substantial open spaces consisting of environmentally sensitive areas.

Twenty below-market-rate condominiums were provided at the Point Tiburon project. Moderate income buyers were selected by a lottery held in May, 1987.

When Town of Tiburon employees are selected to purchase below market rate units at Point Tiburon in the lottery, the Town may provide low interest loans to assist the employees in the purchase of the units.

The Town provides funds to the County Rental Assistance Program which provides rental assistance to 7 households in the Tiburon Planning Area.

Developers have been allowed to pay in-lieu fees to the Town instead of providing actual housing units.

This policy has not been implemented.

The 20 below-market-rate units constructed in the Point Tiburon project were different than, but architecturally compatible with, the market-rate units.

3.d. The Town shall attempt to contribute financially to additional private development of affordable units.

3.e. The Town shall support the continued and expanded use of rental assistance programs.

3.f. The Town shall support use of its funds to "piggy-back" with state, federal, and other funds, to create affordable housing.

3.g. The Town supports energy conservation in the design or modification of units as a way of lowering the costs of living in a home.

3.h. The Town shall encourage the construction, in multi-family zoned areas, of new apartment, condominium and cooperative units.

3.i. The Town shall work with private non-profit housing groups to develop low- cost housing.

3.j. Secondary dwelling units will continue to be considered in accordance with standards set forth in the Zoning Ordinance.

OBJECTIVES

The Town concluded that 630 additional housing units could be provided within the Town and sphere-of-influence lands, although it was predicted that there would be difficulty in providing a sufficient number of units within the time frame established by the State as well as provision of 302 units of housing affordable to households at very low-, low- and moderate-income levels.

No funds have been spent in this manner.

The Town continues to participate in this program and assistance is being provided to 7 units in the Tiburon Planning Area.

No funds have been spent in this manner.

Energy conservation has been implemented in over 10,000 existing units in Marin County.

155 units of multi-family housing were constructed in Point Tiburon. There have been several condominium units constructed and many of the second units, maid's units, cottages and studios are probably rental units.

This has not been done since 1984.

Approximately 20 legal second units have been constructed in the Tiburon Planning Area between 1980 and 1990.

The Town projected that the housing needs of a wide range of household income groups can be satisfied, at least in part.

Housing Programs

Existing Housing Program The Housing Element states that the following housing programs will be continued.

1. Section 236 Project (Hilarita)

301 units were constructed or were under construction in the Tiburon Planning Area between 1980 and 1986. The breakdown of these units by income category is given in the section on recent housing construction activity in the Housing Element.

This project is continuing, but its future is unclear at this time.

The Federal Government created the Section 236 program in 1968 to provide private and non-profit owners with low-interest FHA-insured mortgages. In exchange for the interest subsidy, owners agreed to limit rents to levels affordable to low- and moderate-income households. For-profit owners of these projects can prepay their 40-year mortgages after 20 years. In projects where owners decide to terminate federal assistance, rent restrictions and income limitations will no longer be required.

Many of these types of projects, including Hilarita, have increased in value and this increase combined with low outstanding debt make conversion from low- and moderate-income apartments desirable. Owners may want to raise rents, convert apartments to condominiums or sell the projects.

By reducing many of the tax benefits of rental property investment, the Tax Reform Act of 1986 is another force encouraging conversion of units.

HUD has indicated that it will provide vouchers to tenants displaced from subsidized units to use toward renting existing housing. The voucher program, however, requires the tenants to compete for housing within the rent limits of the vouchers. Such housing is close to non-existent in the Tiburon Planning Area and is in short supply within Marin County.

- 2. Section 8 Project (Bradley House)
- 3. Condominium Conversion Ordinance
- 4. Inclusionary Policy
- 5. Existing Units with Section 8 Subsidies

This project is continuing.

This ordinance is still in effect.

20 below-market-rate units were built at the Point Tiburon project and the Town, as of 3/26/91, had approximately \$650,000 in its housing fund from in-lieu fees.

This program is continuing.

PLANNED PROGRAMS (1981 through 1985)

- 1. State and Federal Programs
 - 1.a. HUD Section 8 Rental Assistance
 - 1.b. HUD Revised Section 235
- 2. Community Programs
 - 2.a. Rental Assistance Program
 - 2.b. Rehabilitation Loan Program
 - 2.b.(1) Community Block Grant Rehab Loans
 - 2.b.(2) Section 8 Moderate Rehab Program
 - 2.c. Mortgage Assistance Program

This program is continuing.

This program has not been used.

The Town is participating in this program and funds through this program are being provided to assist 7 households.

This program has not been used.

This program has not been used.

This program has not been used.

This program has not been used.

3. Town-Initiated Programs

3.a. Zoning Amendments

3.a.(1) Adoption of an inclusionary ordinance

This ordinance was adopted prior to 1984 and does not require inclusionary units but accepts in-lieu fees in place of units.

3.a.(1)(a) Offering density bonuses to developers who are willing to build moderate-income units.

This has not been adopted.

3.a.(1)(b) Requiring the inclusion of below-market rate housing in all new developments of ten or more units, and the payment of an in-lieu fee for all subdivisions of two or more, but less than ten, units.

This was adopted as part of an inclusionary ordinance prior to 1984, but in-lieu fees have been accepted for all projects, regardless of size.

Larger density bonuses could be offered to developers of rental housing.

This is not part of the inclusionary ordinance.

*3.a.(2) Amendment to the Condominium Ordinance to provide for limited equity cooperatives.

This has not been done.

3.a.(3) Legalizing Second Units.

This ordinance was adopted prior to 1984. About 20 legal second units have been constructed between 1980 and 1990.

*3.a.(4) Adoption of Multiple-Residential Ordinance.

This has not been done.

*3.a.(5) Consider adoption of a solar conservation ordinance.

This has not been done.

3.b. Administrative Programs

3.b.(1) The Town of Tiburon waives development fees for portions of projects that are below market rate and asks other public agencies to reduce or waive their fees.

The Town waives fees and encourages other districts to do so.

3.b.(2) Housing Program Advertisement

The Town sends out information regarding various housing programs.

3.b.(3) Energy Conservation Program.

The Town makes information available through the Building Department.

3.c. Housing Opportunity Fund to be established.

The Town has a housing fund made up of in-lieu fees and Redevelopment Agency set-asides.

3.d. Removed from 1984 Housing Element.

*3.e. Barrier removal.

In-lieu fees have been used to remove barriers to Town Hall access, but not for any residential projects.

*3.f. Project Match

The Town has not pursued this program.

3.g. Other sources of Housing Assistance Funds

*3.g.(1) Explore other means of generating funds for housing assistance to very low-, low- and moderate-income households and cooperate with other jurisdictions to conduct a study of this subject.

A study has not been conducted.

3.g.(2) The Town shall support specialized financing programs to assist lower, low and moderate income households.

The Town has not pursued any such programs.

3.h Other sources of providing rental units.

*3.h.(1) The Town shall support the leasing out of rooms in larger housing.

The Town does support this activity, but no data are available on its popularity.

4. Private Sector Programs

4.a. Community Think Tank

This has not been implemented.

*Policies and programs which have not been included in this Housing Element due to their lack of success. However, new programs have been developed and included in this Housing Element to address any continuing housing needs reflected in the discontinued programs.

APPENDIX D. GLOSSARY OF FREQUENTLY USED TERMS

Affordable Units: All dwelling units made available at prices or rents below market-rate. Affordable units include units affordable to households with very low-income, low-income, and moderate-income.

Dwelling Unit: One or more rooms, including a kitchen or kitchenette and sanitary facilities in a structure occupied for living and sleeping purposes by not more than one family.

Housing Unit: The official nomenclature of the U.S. Census. A housing unit must have a separate entrance from other housing units but need not have separate kitchen facilities.

Employed Resident: A worker who lives in a given location who could work anywhere.

Employee: Someone who works at a given location. Workers with routes (travelling salespersons, etc.) are considered employees at the place from where they are dispatched.

Household: One or more persons who share a dwelling unit. Not to be confused with "family"

Housing Need: A local share of the regional housing units assumed by the Association of Bay Area Governments (ABAG) to be "needed." Housing need is distinguished from housing demand, which is sensitive to the marketplace. Housing projections represent probable (rather than desired) levels of housing activity in each jurisdiction of the Bay Area.

Infeasible: Not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors.

Infrastructure: The grid of public capital improvements (roads, water and sewer) that is necessary to make urban development (including housing) occur. Essential infrastructure is that infrastructure which must be in place for the house to be habitable.

Market-Rate Units: Market-rate units are those dwelling units available at prices or rents at or above market-rate, which are those prices or rents determined by the marketplace. When market prices or rents are bid up, many households are unable to compete for housing in the marketplace.

Overpayment: Overpayment refers to households overpaying for housing/shelter. Households overpaying are households with incomes below 80% of the County's median household income and paying more than 30% of their income toward housing/shelter.

APPENDIX D. GLOSSARY OF FREQUENTLY USED TERMS (CONTINUED)

Secondary Dwelling Unit: An attached or detached additional dwelling unit on a single family lot which provides independent living facilities for not more than three persons, and which has kitchen/cooking, sleeping and sanitation facilities on the same parcel in which the primary unit is situated.

Service Provider: An agency or jurisdiction charged with the responsibility of providing service via infrastructure. The service providers in the Tiburon Planning Area include CalTrans (roads), Marin Municipal Water District (water) and several sanitary districts (sewer).

Shelter: A residential facility operated by a provider which provides temporary accommodations to homeless persons and/or families which meets the standards for shelters contained in Title 25, California Administration Code, Part 1, Chapter F, Subchapter 12, Section 7972. Provider shall mean a government agency or private non-profit organization which provides, or contracts with a recognized community organization to provide, emergency or temporary shelter for homeless.

Unit: A basic way of counting homes. The number of units is the number of homes. Houses, apartments and condominiums are all "units."

APPENDIX E

PRESERVATION PROGRAM FOR THE HILARITA

PROJECT DESCRIPTION - Inventory Discussion

Chapter 1451, Statutes of 1989, amended Section 65583 of the Government Code to require analysis and program efforts for preserving assisted housing development. The only applicable housing development in the Town is the Hilarita. Pursuant to these requirements, the Town has developed the following analysis and program efforts targeted at preserving the Hilarita.

Hilarita History

The source of the following description of the history of the Hilarita is the Hilarita Handbook, January 1993.

The Hilarita Apartments were built in 1974. Prior to that time, the Hilarita site had been used as a temporary housing project for Navy personnel in World War II, administered by the Housing Authority of Marin County. A non-profit housing organization, the Ecumenical Association for Housing (EAH) was founded in San Rafael to provide housing for low and moderate income families. In 1970 negotiations were begun by a local non-profit organization to acquire the Hilarita property and to obtain a Federal Department of Housing and Urban Development (HUD) loan for the purpose of building a housing development for low and moderate income families. The local non-profit organization consisted of the Tiburon Ecumenical Association (TEA) sponsored by three churches on the Tiburon Peninsula: the Community Congregational Church, St. Stephen's Episcopal Church and the Westminister Presbyterian Church. Three representatives from each church form the Board of Trustees of TEA, plus one member at large, one representative from the Residents Association of the Hilarita and one appointee from the Town of Tiburon.

Following a two year delay due to a lawsuit, construction of the Hilarita was begun. By that time, building costs had increased and additional financing had to be arranged. This was accomplished by forming a limited Dividend Partnership with a group of investors called Argonaut Capital Corporation and TEA. TEA became a Managing General Partner of the Hilarita. The project was completed in June 1974.

The Hilarita consists of 102 apartments on five levels. There are 28 one bedroom units, 34 two bedroom units, 28 three bedroom units and 12 four bedroom units. The Hilarita is 100% occupied and a waiting list is maintained. There is a playground for toddlers on the first level. A bike path leads from the complex to McKegny Green, a large grassy playing field nearby.

Demographics

As of January 1993, there were 195 people residing in the Hilarita; 127 adults and 68 children under 18 years in age. Twenty-three residents are over 62 years in ages and 8 residents are disabled. Residents are culturally diverse.

Rents

Rental rates are based on the annual income of the residents. In order to qualify for residency in the Hilarita, a family must be paying at least 30% of the combined annual income for rent. Basic monthly rents in January 1993 were as follows:

One bedroom -- \$402.00/mo
Two Bedroom -- \$474.00/mo
Three Bedroom -- \$550.00/mo
Four Bedroom -- \$639.00/mo

Forty-nine units were paying under the Section 8 rental program (HUD subsidized). Twenty-two units were paying basic rents as illustrated above. Thirty units were paying market rent.

Risk of Conversion

Owners of the Hilarita have indicated a commitment to preserving the Hilarita by filing the first of the required Notices of Intent to sell (NOI's). It is unlikely that the project would be converted to market rate housing given the interest and commitment of owners to assist and participate in the preservation of the project.

Analysis of Resources for Preservation of the Hilarita

In this case, the affected parties including the owners and tenants of the Hilarita are involved in developing a program for the preservation of the Hilarita. Because the preservation process is so far advanced, a detailed analysis comparing replacement to preservation is considered unnecessary.

Status of the Hilarita

The Hilarita is owned by a limited partnership of which Tiburon Ecumenical Association (TEA) is the managing general partner. The partnership was formed in 1974 when the property was developed. Under Federal Law, the property can be sold by the partnership when it has been in existence for 20 years.

Since 1990, TEA and The Hilarita Residents Association (HRA) have been actively working together to assure the preservation of the Hilarita as affordable housing. Each organization has formed preservation sub-committees and begun the process of

determining how purchase and management can go forward with involvement by the residents.

The following steps toward preservation are complete:

1. Establishment of the Joint Task Force comprised of TEA and HRA representatives;
2. The Creation of a new separate nonprofit corporation (TEA - The Hilarita), a Community Based Organization (CBO) with a Board comprised of both residents of the Hilarita as well as members appointed by TEA. The new CBO would submit the purchase offer, obtain predevelopment and permanent financing, submit the Plan of Action and conduct other activities toward acquisition of the Hilarita.
3. On October 21, 1993 the owners of The Hilarita undertook the first formal step toward preservation by filing the First Notice of Intent (NOI) to sell the Hilarita. Both TEA and the Hilarita Residents Association (HRA) notified the residents of this step.
4. TEA, as managing general partner for the owners, also has entered into an essentially "fair market value" agreement for an appraisal of the property. HUD would also select an appraiser. Once the two appraisals are reconciled, and rehabilitation costs established, a Second NOI would be filed. This NOI would be binding on the sellers. If a majority of the residents endorse the CBO (TEA - The Hilarita), it can make an offer to purchase at once.

Funding for the purchase would consist of TEA equity in the property, together with HUD financing of additional monies required under the HUD Section 241, Supplemental Loan Insurance -Multifamily Rental Housing. This HUD program supplements existing insured mortgages and does not require refinancing the existing mortgage. The supplemental loan for a project with a HUD-held mortgage may not exceed 90 percent of the estimated value of the improvements, additions, or equipment. Prepurchase funding covering such activities as appraisals, inspections, professional fees, financing fees, and administrative expenses will be provided by a combination of HUD technical Assistance Grants, Community Block Grant Development funds, and Town of Tiburon funds which have been reserved for the preservation of affordable housing within the Tiburon community.

The actual cost of acquiring the Hilarita would be determined following the completion of appraisals, which were recently completed.

Next Steps

Appraisal Stage: An appraisal has just been completed for the Hilarita. However, it is not yet available for public review. Negotiations over the loan commitment and funding will occur once an appraisal has been agreed upon.

Site Control: This step involves the endorsement by tenants of the buy-out process and defining the future purchase and ownership structure.

Development of Plan of Action: This step involves the development of a specific plan of action for the transition of the property ownership and property management.

Implementation and Closing: This final step involves the completion of the loan package and closing of escrow. In addition, tenant education would be completed consisting of the following issues, among others: roles and responsibilities of ownership, introduction to asset management, and other final closing steps.

The process is expected to be completed in October 1995.

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